

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

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**THIRTEENTH DAY'S PROCEEDINGS**

**Twenty-Ninth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Monday, April 28, 2003

The Senate was called to order at 4:00 o'clock P.M., by Hon. John Hainkel, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

**ABSENT**

Bean	Thomas
Total—2	

The President of the Senate announced there were 37 Senators present and a quorum.

**Prayer**

The prayer was offered by Dr. Bridget Steib, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Privilege Report of the  
Legislative Bureau**

April 28, 2003

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

**HOUSE BILL NO. 779—**

BY REPRESENTATIVES DEWITT, BRUNEAU, AND LANCASTER  
AN ACT

To amend and reenact R.S. 24:35.5(A)(11), (12), (13), (19), (20), (21), (62), (72), (73), (74), (75), (77), (82), (89), (91), (93), (94), (95), (96), (97), (98), (99), (100), and (101) and (B) as enacted by Act No. 3 of the Second Extraordinary Session of 2001, to provide with respect to the composition of House of Representative Districts 11, 12, 13, 19, 20, 21, 62, 72, 73, 74, 75, 77, 82, 89, 91, 93, 94, 95, 96, 97, 98, 99, 100, and 101, all to legislatively adopt, approve, and ratify the agreement of the parties in *The Louisiana House of Representatives, et al. v. John Ashcroft, et al.*, CA No. 1:02CV00062 (United States District Court for the District of Columbia) to secure a consent declaratory judgment in said matter; to provide for effective dates; and to generally and specifically and otherwise provide with respect thereto.

Reported without amendments.

Respectfully submitted,  
LOUIS LAMBERT  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

April 28, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 50—**

BY SENATOR IRONS

A CONCURRENT RESOLUTION

To designate May 7, 2003 as "Louisiana Day to Prevent Teen Pregnancy and Score Big".

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Introduction of Senate Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 22—**

BY SENATOR ADLEY

A RESOLUTION

To commend the efforts of the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize June 13,

2003, as Hugh O'Brian Youth Leadership Day in the state of Louisiana.

On motion of Senator Adley, the resolution was read by title and adopted.

### **Messages from the House**

The following Messages from the House were received and read as follows:

#### **Message from the House**

##### **ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS**

April 28, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

##### **HOUSE BILL NO. 1172—**

BY REPRESENTATIVE MORRELL  
AN ACT

To enact R.S. 13:1384, relative to criminal district courts; to provide for certain positions or office; and to provide for related matters.

##### **HOUSE BILL NO. 1196—**

BY REPRESENTATIVE L. JACKSON  
AN ACT

To amend and reenact R.S. 25:380.52(C), relative to the Louisiana Delta Music Museum; to change the membership of the governing board of the museum; to change the terms of certain members; and to provide for related matters.

##### **HOUSE BILL NO. 1197—**

BY REPRESENTATIVE L. JACKSON  
AN ACT

To amend and reenact R.S. 25:379.1(C)(2)(a), relative to the Louisiana State Exhibit Museum; to change the membership of the governing board of the museum; and to provide for related matters.

##### **HOUSE BILL NO. 1198—**

BY REPRESENTATIVE L. JACKSON  
AN ACT

To amend and reenact R.S. 25:380.1(C)(2)(a) and (c), relative to the Louisiana State Cotton Museum; to change the membership of the governing board of the museum; to change the terms of certain members; and to provide for related matters.

##### **HOUSE BILL NO. 1283—**

BY REPRESENTATIVE LANCASTER  
AN ACT

To enact R.S. 18:425(B)(4); to allow students age seventeen who are seniors in high school to serve as commissioners on election day; and to provide for related matters.

##### **HOUSE BILL NO. 1334—**

BY REPRESENTATIVE BEARD  
AN ACT

To enact R.S. 30:2074(B)(9), relative to water quality; to provide for an effluent reduction credit banking system; to provide for rules and regulations; and to provide for related matters.

##### **HOUSE BILL NO. 1493—**

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOUIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact R.S. 3:1734, relative to sweet potato inspection fees; to create the Sweet Potato Pests and Diseases Fund; to provide for disposition of funds; and to provide for related matters.

##### **HOUSE BILL NO. 1496—**

BY REPRESENTATIVES DOWNER, ARNOLD, CURTIS, DIEZ, ERDEY, FUTRELL, HUTTER, ILES, KENNARD, POWELL, QUEZAIRE, SHAW, AND TUCKER

AN ACT

To amend and reenact R.S. 44:4.1(B)(19) and to enact Subpart E of Part VIII of Chapter 1 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:340.21, relative to port commissions, districts, and authorities; to require port commissions, districts, and authorities to implement a port security and safety plan for maritime facilities and vessels; to require said commissions, districts, and authorities to enter into cooperative endeavor agreements with certain federal, state, local, and other governmental agencies for implementation of such plan; to provide that security and safety plans be exempted from public records law; and to provide for related matters.

##### **HOUSE BILL NO. 1562—**

BY REPRESENTATIVE WALSWORTH  
AN ACT

To amend and reenact R.S. 37:3118(A)(1)(f), 3129(A), and 3130 and to enact R.S. 37:3115.1 and 3129(C), relative to auctioneers; to provide for educational requirements for auctioneers and auction businesses; to authorize auctioneers to bid on behalf of an absentee bidder under certain circumstances; to authorize the taking of bids by telephone or other electronic means; and to provide for related matters.

##### **HOUSE BILL NO. 1598—**

BY REPRESENTATIVE POWELL  
AN ACT

To amend and reenact R.S. 34:1959 and 1961 and to enact R.S. 34:1959.1, relative to the South Tangipahoa Parish Port Commission; to provide relative to the commission's authority; to prohibit the authority from levying and collecting ad valorem and special taxes under certain circumstances; to require a special election for levy of ad valorem and special taxes in the future; and to provide for related matters.

##### **HOUSE BILL NO. 1644—**

BY REPRESENTATIVES GUILLORY AND MURRAY  
AN ACT

To enact R.S. 23:1541.1, relative to unemployment compensation; to provide for an appellate procedure for chargeability determinations; to provide for the issuance of a determination of chargeability; to provide for notice of determination; to provide for review by the administrator; to provide for judicial review; and to provide for related matters.

##### **HOUSE BILL NO. 1645—**

BY REPRESENTATIVES GUILLORY AND MURRAY  
AN ACT

To amend and reenact R.S. 23:1541(5)(a), relative to unemployment compensation; to repeal the limit on employer contributions to a portion of benefits charged; to authorize payment of contributions in any amount to an employer's experience-rating account; and to provide for related matters.

**HOUSE BILL NO. 1647—**

BY REPRESENTATIVES GUILLORY AND MURRAY  
AN ACT

To amend and reenact R.S. 23:1539(A), relative to unemployment contributions; to clarify that employees shall be considered assets of a business when determining if an acquisition has occurred; and to provide for related matters.

**HOUSE BILL NO. 1648—**

BY REPRESENTATIVES GUILLORY AND MURRAY  
AN ACT

To amend and reenact R.S. 23:1669(C), relative to unemployment compensation; to provide that a flat contingency fee be paid to collection attorneys; and to provide for related matters.

**HOUSE BILL NO. 1646—**

BY REPRESENTATIVES GUILLORY AND MURRAY  
AN ACT

To amend and reenact R.S. 23:1634(A), relative to unemployment compensation judicial review; to provide a venue for appeals for out- of-state unemployment compensation claimants; and to provide for related matters.

**HOUSE BILL NO. 531—**

BY REPRESENTATIVES PITRE, JOHNS, AND WALSWORTH  
AN ACT

To enact R.S. 49:213.9, relative to property rights; to limit recovery for property taken or affected by coastal restoration; and to provide for related matters.

**HOUSE BILL NO. 590—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 13:851, relative to fees in criminal matters in the Fortieth Judicial District Court; to require an additional fee in criminal matters, including traffic cases; to provide for use of the fee by the office of the clerk of court; to provide for an annual audit; and to provide for related matters.

**HOUSE BILL NO. 597—**

BY REPRESENTATIVE TOOMY  
AN ACT

To amend and reenact R.S. 13:47, relative to the Judicial Compensation Commission; to provide for legislative approval of the commission's report; to provide for an effective date for salary recommendations; to provide for procedures for approval of the concurrent resolution; and to provide for related matters.

**HOUSE BILL NO. 685—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 9:3550(D)(2), (E)(1) and (3), (G)(1), (2), (3)(a)(introductory paragraph), (iii) and (iv), (b), and (c), and (4), and (H) and to enact R.S. 9:3550(D)(1)(d), relative to premium finance companies; to provide for electronic notification; to provide for cancellation of insurance policies; and to provide for related matters.

**HOUSE BILL NO. 703—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 6:969.26(D), relative to motor vehicle sales finance; to provide relative to gap insurance coverage; to provide relative to lenders; and to provide for related matters.

**HOUSE BILL NO. 766—**

BY REPRESENTATIVES PITRE, JOHNS, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 49:214.5, relative to coastal restoration; to provide that state and political subdivisions shall be held harmless; to provide for applicability to certain claims; and to provide for related matters.

**HOUSE BILL NO. 775—**

BY REPRESENTATIVE POWELL  
AN ACT

To amend and reenact R.S. 34:1951(A), relative to the South Tangipahoa Parish Port Commission; to provide relative to the compensation paid to members of such commission; to prohibit compensation, per diem, or travel reimbursement to be paid to such commissioners; and to provide for related matters.

**HOUSE BILL NO. 807—**

BY REPRESENTATIVES DURAND AND DAMICO  
AN ACT

To amend and reenact R.S. 30:2374(B)(1), relative to the Hazardous Materials Information Development, Preparedness and Response Act; extends period for collection of certain fees; and to provide for related matters.

**HOUSE BILL NO. 845—**

BY REPRESENTATIVES MARTINY, ANSARDI, CAPELLA, DAMICO, LANCASTER, SCALISE, AND TOOMY AND SENATOR LENTINI  
AN ACT

To amend and reenact R.S. 15:703, relative to prisoners in parish jails; to provide with respect to the duties, obligations, and liability of parish governing authorities for medical care required to be provided for prisoners in parish jails; to provide with respect to procedures for prisoners for damages which occur as a result of the medical care which is provided for those prisoners; and to provide for related matters.

**HOUSE BILL NO. 874—**

BY REPRESENTATIVE DAMICO  
AN ACT

To enact R.S. 30:2050.7(E)(4), relative to settlements by the secretary of the Department of Environmental Quality of suits for civil penalties; to provide relative to uses of settlement money; to authorize the payment of such settlements; and to provide for related matters.

**HOUSE BILL NO. 886—**

BY REPRESENTATIVE DAMICO  
AN ACT

To enact R.S. 30:2066, relative to fees paid to the Department of Environmental Quality; to authorize fees paid by major sources of air contaminants in severe and extreme ozone nonattainment zones; to provide for the annual adjustment of such fees; to provide for definitions; to provide for exceptions; and to provide for related matters.

**HOUSE BILL NO. 898—**

BY REPRESENTATIVE PITRE  
AN ACT

To amend and reenact R.S. 34:1652(C)(20) and to enact R.S. 34:1662, relative to the Greater Lafourche Port Commission; to provide relative to the commission's authority to make road and bridge improvements; and to provide for related matters.

**HOUSE BILL NO. 961—**

BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 33:383(A)(1) and to enact R.S. 33:383.2, relative to municipal elections; to authorize the governing authority in certain municipalities to hold municipal elections at the same time as the gubernatorial election; and to provide for related matters.

**HOUSE BILL NO. 987—**

BY REPRESENTATIVES DEWITT, DANIEL, FAUCHEUX, HAMMETT, HILL, L. JACKSON, ODINET, AND TOWNSEND AND SENATOR HAINKEL  
AN ACT

To amend and reenact R.S. 47:1832(A), relative to the tax commission; to provide for the membership of such commission; and to provide for related matters.

**HOUSE BILL NO. 1003—**BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 38:291(D)(1), relative to levee boards and districts; to provide for clarification of the levee district comprised of a certain portion of Jefferson Parish; and to provide for related matters.

**HOUSE BILL NO. 1032—**BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

**HOUSE BILL NO. 1090—**BY REPRESENTATIVE R. CARTER  
AN ACT

To enact R.S. 33:1236.27, relative to St. Helena Parish; to authorize the governing authority of the parish to enter into a cooperative endeavor with the St. Helena Parish Hospital Service District Number One for the public purpose of providing health care; to authorize the parish governing authority to provide financial support out of general funds of the parish or other available funds; and to provide for related matters.

**HOUSE BILL NO. 154—**BY REPRESENTATIVE PITRE  
AN ACT

To amend and reenact R.S. 18:463(A)(2) and to enact R.S. 18:495, relative to qualifying for public office; to provide for the notice of candidacy; to require certain certifications; to provide for actions objecting to candidacy under certain circumstances; to provide for payment of attorney fees and court costs under certain circumstances; to provide for criminal penalties; and to provide for related matters.

**HOUSE BILL NO. 224—**BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 6:242(D)(1) and 412(A)(1) and to enact Chapter 7-A of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:571 through 627, relative to Louisiana trust companies; to provide authority and powers of trust companies; to provide for names of trust companies; to provide for capital requirements; to provide for application and charter procedures; to provide for insurance coverage; to provide for private trust companies; to provide for conversions; to provide for acquisition and ownership; to provide for investments; to provide for borrowing and pledge limits; to provide for criminal reporting; to provide for offices and branch offices; and to provide for related matters.

**HOUSE BILL NO. 522—**BY REPRESENTATIVES JANE SMITH, DAMICO, MONTGOMERY,  
PEYCHAUD, WADDELL, AND WOOTON  
AN ACT

To amend and reenact R.S. 30:2418(I) and to enact R.S. 30:2418(M)(3), relative to the disposal of waste tires; to provide for fees collected on new tires; to provide for criminal penalties for fraudulent violations of the Waste Tire Program; and to provide for related matters.

**HOUSE BILL NO. 712—**BY REPRESENTATIVES HAMMETT, KENNEY, AND THOMPSON  
AN ACT

To enact Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.207, relative to Lake St. Joseph in Tensas Parish; to create the Lake St. Joseph Recreation and Water Conservation District; to create and provide for a board of commissioners of

such district; to provide for the powers and duties of the district and the board; to authorize the board to levy taxes and parcel fees, issue bonds, and incur debt; to authorize the board to promulgate rules and regulations to accomplish the purposes of the district and to provide for the enforcement thereof; to provide for violations and penalties; to provide relative to the powers and duties of the Department of Transportation and Development with respect to the district; to provide for the regulation of commercial establishments; to provide for creation and construction of playgrounds and recreational facilities; to provide relative to mineral leases; and to provide for related matters.

**HOUSE BILL NO. 545—**BY REPRESENTATIVE DANIEL  
AN ACT

To enact R.S. 30:2054(B)(2)(b)(ix), relative to air quality control; to provide for powers of the secretary of the Department of Environmental Quality; to provide for an exemption from permitting regulations for certain sources of air emissions; and to provide for related matters.

**HOUSE BILL NO. 121—**BY REPRESENTATIVES SHAW AND ILES  
AN ACT

To enact R.S. 32:295.3, relative to motor vehicle regulations; to prohibit drivers or operators from leaving children under the age of six unattended and unsupervised in motor vehicles; to provide for definitions; to provide for limitations of liability; to provide for applicability; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 216—**BY REPRESENTATIVES NEVERS AND STRAIN  
AN ACT

To enact R.S. 36:509(S) and Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.205, to create the Washington Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners to manage the reservoir district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds to prohibit certain actions and to provide penalties; to provide relative to the district's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

**HOUSE BILL NO. 733—**BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 13:2496.3(H) and to enact R.S. 13:2496.3(G)(6) and (7), relative to the first appearance hearing officer of the Municipal Court of New Orleans; to provide for additional duties of the office; to provide for the provisions terminating the office and evaluation by the Judicial Council on continuing the office; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**House Bills and Joint Resolutions  
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE BILL NO. 121—**

BY REPRESENTATIVES SHAW AND ILES  
AN ACT

To enact R.S. 32:295.3, relative to motor vehicle regulations; to prohibit drivers or operators from leaving children under the age of six unattended and unsupervised in motor vehicles; to provide for definitions; to provide for limitations of liability; to provide for applicability; to provide for penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 154—**

BY REPRESENTATIVE PITRE  
AN ACT

To amend and reenact R.S. 18:463(A)(2) and to enact R.S. 18:495, relative to qualifying for public office; to provide for the notice of candidacy; to require certain certifications; to provide for actions objecting to candidacy under certain circumstances; to provide for payment of attorney fees and court costs under certain circumstances; to provide for criminal penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 216—**

BY REPRESENTATIVES NEVERS AND STRAIN  
AN ACT

To enact R.S. 36:509(S) and Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.205, to create the Washington Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners to manage the reservoir district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds to prohibit certain actions and to provide penalties; to provide relative to the district's relationship with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 224—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 6:242(D)(1) and 412(A)(1) and to enact Chapter 7-A of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:571 through 627, relative to Louisiana trust companies; to provide authority and powers of trust companies; to provide for names of trust companies; to provide for capital requirements; to provide for application and charter procedures; to provide for insurance coverage; to provide for private trust companies; to provide for conversions; to provide for acquisition and ownership; to provide for investments; to provide for borrowing and pledge limits; to provide for criminal reporting; to provide for offices and branch offices; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 522—**

BY REPRESENTATIVES JANE SMITH, DAMICO, MONTGOMERY, PEYCHAUD, WADDELL, AND WOOTON  
AN ACT

To amend and reenact R.S. 30:2418(I) and to enact R.S. 30:2418(M)(3), relative to the disposal of waste tires; to provide for fees collected on new tires; to provide for criminal penalties for fraudulent violations of the Waste Tire Program; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 531—**

BY REPRESENTATIVES PITRE, JOHNS, AND WALSWORTH  
AN ACT

To enact R.S. 49:213.9, relative to property rights; to limit recovery for property taken or affected by coastal restoration; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 545—**

BY REPRESENTATIVE DANIEL  
AN ACT

To enact R.S. 30:2054(B)(2)(b)(ix), relative to air quality control; to provide for powers of the secretary of the Department of Environmental Quality; to provide for an exemption from permitting regulations for certain sources of air emissions; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 590—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 13:851, relative to fees in criminal matters in the Fortieth Judicial District Court; to require an additional fee in criminal matters, including traffic cases; to provide for use of the fee by the office of the clerk of court; to provide for an annual audit; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 597—**

BY REPRESENTATIVE TOOMY  
AN ACT

To amend and reenact R.S. 13:47, relative to the Judicial Compensation Commission; to provide for legislative approval of the commission's report; to provide for an effective date for salary recommendations; to provide for procedures for approval of the concurrent resolution; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 685—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 9:3550(D)(2), (E)(1) and (3), (G)(1), (2), (3)(a)(introductory paragraph), (iii) and (iv), (b), and (c), and (4), and (H) and to enact R.S. 9:3550(D)(1)(d), relative to premium finance companies; to provide for electronic notification; to provide for cancellation of insurance policies; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 703—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 6:969.26(D), relative to motor vehicle sales finance; to provide relative to gap insurance coverage; to provide relative to lenders; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 712—**

BY REPRESENTATIVES HAMMETT, KENNEY, AND THOMPSON  
AN ACT

To enact Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.207, relative to Lake St. Joseph in Tensas Parish; to create the Lake St. Joseph Recreation and Water Conservation District; to create and provide for a board of commissioners of such district; to provide for the powers and duties of the district and the board; to authorize the board to levy taxes and parcel

fees, issue bonds, and incur debt; to authorize the board to promulgate rules and regulations to accomplish the purposes of the district and to provide for the enforcement thereof; to provide for violations and penalties; to provide relative to the powers and duties of the Department of Transportation and Development with respect to the district; to provide for the regulation of commercial establishments; to provide for creation and construction of playgrounds and recreational facilities; to provide relative to mineral leases; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 733—**

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:2496.3(H) and to enact R.S. 13:2496.3(G)(6) and (7), relative to the first appearance hearing officer of the Municipal Court of New Orleans; to provide for additional duties of the office; to provide for the provisions terminating the office and evaluation by the Judicial Council on continuing the office; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 766—**

BY REPRESENTATIVES PITRE, JOHNS, AND WALSWORTH

AN ACT

To amend and reenact R.S. 49:214.5, relative to coastal restoration; to provide that state and political subdivisions shall be held harmless; to provide for applicability to certain claims; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 775—**

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 34:1951(A), relative to the South Tangipahoa Parish Port Commission; to provide relative to the compensation paid to members of such commission; to prohibit compensation, per diem, or travel reimbursement to be paid to such commissioners; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 807—**

BY REPRESENTATIVES DURAND AND DAMICO

AN ACT

To amend and reenact R.S. 30:2374(B)(1), relative to the Hazardous Materials Information Development, Preparedness and Response Act; extends period for collection of certain fees; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 845—**

BY REPRESENTATIVES MARTINY, ANSARDI, CAPELLA, DAMICO, LANCASTER, SCALISE, AND TOOMY AND SENATOR LENTINI

AN ACT

To amend and reenact R.S. 15:703, relative to prisoners in parish jails; to provide with respect to the duties, obligations, and liability of parish governing authorities for medical care required to be provided for prisoners in parish jails; to provide with respect to procedures for prisoners for damages which occur as a result of the medical care which is provided for those prisoners; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 874—**

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 30:2050.7(E)(4), relative to settlements by the secretary of the Department of Environmental Quality of suits for civil penalties; to provide relative to uses of settlement money; to authorize the payment of such settlements; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 886—**

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 30:2066, relative to fees paid to the Department of Environmental Quality; to authorize fees paid by major sources of air contaminants in severe and extreme ozone nonattainment zones; to provide for the annual adjustment of such fees; to provide for definitions; to provide for exceptions; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 898—**

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact R.S. 34:1652(C)(20) and to enact R.S. 34:1662, relative to the Greater Lafourche Port Commission; to provide relative to the commission's authority to make road and bridge improvements; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 961—**

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 33:383(A)(1) and to enact R.S. 33:383.2, relative to municipal elections; to authorize the governing authority in certain municipalities to hold municipal elections at the same time as the gubernatorial election; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 987—**

BY REPRESENTATIVES DEWITT, DANIEL, FAUCHEUX, HAMMETT, HILL, L. JACKSON, ODINET, AND TOWNSEND AND SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 47:1832(A), relative to the tax commission; to provide for the membership of such commission; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1003—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 38:291(D)(1), relative to levee boards and districts; to provide for clarification of the levee district comprised of a certain portion of Jefferson Parish; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1032—**

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1090—**

BY REPRESENTATIVE R. CARTER  
AN ACT

To enact R.S. 33:1236.27, relative to St. Helena Parish; to authorize the governing authority of the parish to enter into a cooperative endeavor with the St. Helena Parish Hospital Service District Number One for the public purpose of providing health care; to authorize the parish governing authority to provide financial support out of general funds of the parish or other available funds; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1172—**

BY REPRESENTATIVE MORRELL  
AN ACT

To enact R.S. 13:1384, relative to criminal district courts; to provide for certain positions or office; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1196—**

BY REPRESENTATIVE L. JACKSON  
AN ACT

To amend and reenact R.S. 25:380.52(C), relative to the Louisiana Delta Music Museum; to change the membership of the governing board of the museum; to change the terms of certain members; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1197—**

BY REPRESENTATIVE L. JACKSON  
AN ACT

To amend and reenact R.S. 25:379.1(C)(2)(a), relative to the Louisiana State Exhibit Museum; to change the membership of the governing board of the museum; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1198—**

BY REPRESENTATIVE L. JACKSON  
AN ACT

To amend and reenact R.S. 25:380.1(C)(2)(a) and (c), relative to the Louisiana State Cotton Museum; to change the membership of the governing board of the museum; to change the terms of certain members; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1283—**

BY REPRESENTATIVE LANCASTER  
AN ACT

To enact R.S. 18:425(B)(4); to allow students age seventeen who are seniors in high school to serve as commissioners on election day; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1334—**

BY REPRESENTATIVE BEARD  
AN ACT

To enact R.S. 30:2074(B)(9), relative to water quality; to provide for an effluent reduction credit banking system; to provide for rules and regulations; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1493—**

BY REPRESENTATIVES THOMPSON, HILL, LAFLEUR, MORRISH, BAUDOUIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, JACK SMITH, AND STRAIN  
AN ACT

To amend and reenact R.S. 3:1734, relative to sweet potato inspection fees; to create the Sweet Potato Pests and Diseases Fund; to provide for disposition of funds; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1496—**

BY REPRESENTATIVES DOWNER, ARNOLD, CURTIS, DIEZ, ERDEY, FUTRELL, HUTTER, ILES, KENNARD, POWELL, QUEZAIRE, SHAW, AND TUCKER  
AN ACT

To amend and reenact R.S. 44:4.1(B)(19) and to enact Subpart E of Part VIII of Chapter 1 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:340.21, relative to port commissions, districts, and authorities; to require port commissions, districts, and authorities to implement a port security and safety plan for maritime facilities and vessels; to require said commissions, districts, and authorities to enter into cooperative endeavor agreements with certain federal, state, local, and other governmental agencies for implementation of such plan; to provide that security and safety plans be exempted from public records law; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1562—**

BY REPRESENTATIVE WALSWORTH  
AN ACT

To amend and reenact R.S. 37:3118(A)(1)(f), 3129(A), and 3130 and to enact R.S. 37:3115.1 and 3129(C), relative to auctioneers; to provide for educational requirements for auctioneers and auction businesses; to authorize auctioneers to bid on behalf of an absentee bidder under certain circumstances; to authorize the taking of bids by telephone or other electronic means; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1598—**

BY REPRESENTATIVE POWELL  
AN ACT

To amend and reenact R.S. 34:1959 and 1961 and to enact R.S. 34:1959.1, relative to the South Tangipahoa Parish Port Commission; to provide relative to the commission's authority; to prohibit the authority from levying and collecting ad valorem and special taxes under certain circumstances; to require a special election for levy of ad valorem and special taxes in the future; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1644—**

BY REPRESENTATIVES GUILLORY AND MURRAY  
AN ACT

To enact R.S. 23:1541.1, relative to unemployment compensation; to provide for an appellate procedure for chargeability determinations; to provide for the issuance of a determination of chargeability; to provide for notice of determination; to provide for review by the administrator; to provide for judicial review; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1645—**

BY REPRESENTATIVES GUILLORY AND MURRAY  
AN ACT

To amend and reenact R.S. 23:1541(5)(a), relative to unemployment compensation; to repeal the limit on employer contributions to a portion of benefits charged; to authorize payment of contributions in any amount to an employer's experience-rating account; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1646—**

BY REPRESENTATIVES GUILLORY AND MURRAY  
AN ACT

To amend and reenact R.S. 23:1634(A), relative to unemployment compensation judicial review; to provide a venue for appeals for out- of-state unemployment compensation claimants; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1647—**

BY REPRESENTATIVES GUILLORY AND MURRAY  
AN ACT

To amend and reenact R.S. 23:1539(A), relative to unemployment contributions; to clarify that employees shall be considered assets of a business when determining if an acquisition has occurred; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1648—**

BY REPRESENTATIVES GUILLORY AND MURRAY  
AN ACT

To amend and reenact R.S. 23:1669(C), relative to unemployment compensation; to provide that a flat contingency fee be paid to collection attorneys; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House****ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 28, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 51—**

BY REPRESENTATIVE SHAW  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to expend ten million dollars from the department's discretionary fund account for the completion of the Interstate 49 North corridor.

**HOUSE CONCURRENT RESOLUTION NO. 63—**

BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to overlay Louisiana Highway 3127.

**HOUSE CONCURRENT RESOLUTION NO. 64—**

BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to repair and overlay Louisiana Highway 405.

**HOUSE CONCURRENT RESOLUTION NO. 65—**

BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to make road improvements to a certain portion of Louisiana Highway 44.

**HOUSE CONCURRENT RESOLUTION NO. 83—**

BY REPRESENTATIVE HUDSON  
A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to review any permits issued to the Lafayette Utility System to operate a land farm for sewerage sludge in St. Landry Parish, review the process by which such permits are issued to insure local participation, and take appropriate action for deficiencies.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions**

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 51—**

BY REPRESENTATIVE SHAW  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to expend ten million dollars from the department's discretionary fund account for the completion of the Interstate 49 North corridor.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 63—**

BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to overlay Louisiana Highway 3127.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 64—**

BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to repair and overlay Louisiana Highway 405.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 65—**

BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to make road improvements to a certain portion of Louisiana Highway 44.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

#### HOUSE CONCURRENT RESOLUTION NO. 83—

BY REPRESENTATIVE HUDSON

##### A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to review any permits issued to the Lafayette Utility System to operate a land farm for sewerage sludge in St. Landry Parish, review the process by which such permits are issued to insure local participation, and take appropriate action for deficiencies.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Environmental Quality.

### House Bills and Joint Resolutions to be Referred to the Legislative Bureau

The following House Bills and Joint Resolutions were read by title and referred to the Legislative Bureau as follows:

#### HOUSE BILL NO. 1499—

BY REPRESENTATIVES PITRE, DURAND, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

##### AN ACT

To enact R.S. 3:4617(D) and (E), relative to the labeling of food products; prevents advertisement or sale of certain food products; provides relative to the definition of "cajun"; restricts use of the term "cajun" in advertising certain food products; prohibits deceptive packaging; and to provide for related matters.

### Floor Amendments Sent Up

Senator Gautreaux sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Gautreaux to Engrossed House Bill No. 1499 by Representative Pitre (Duplicate of Senate Bill No. 777)

##### AMENDMENT NO. 1

On page 1, line 4, between "cajun" and the semicolon ";," insert "and Louisiana Creole"

##### AMENDMENT NO. 2

On page 1, line 4, between "cajun" and "in" insert "and Louisiana Creole"

##### AMENDMENT NO. 3

On page 1, line 16, between "R.S. 38:2251" and the period "." insert the following: "and R.S. 39:1595"

On motion of Senator Gautreaux, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 777, was read by title and referred to the Legislative Bureau.

#### HOUSE BILL NO. 1183—

BY REPRESENTATIVES PINAC, ALEXANDER, BAUDOIN, BROOME, BRUCE, DANIEL, DURAND, FLAVIN, PIERRE, WALSWORTH, CROWE, DEVILLIER, FANNIN, FRITH, SCHWEGMANN, AND GARY SMITH AND SENATORS MICHOT, CRAVINS, AND HOYT

##### AN ACT

To enact Chapter 8-I of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.21 through 844.25, relative to an information and referral system; to provide for the authority of the Public Service Commission, to create a planning

board to make recommendations to the commission, to provide for the requirements of the system and procedure for its planning, implementation, operation, and associated costs; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 786, was read by title and referred to the Legislative Bureau.

### House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

#### HOUSE BILL NO. 12—

BY REPRESENTATIVE CROWE

##### AN ACT

To enact R.S. 17:85.2, relative to naming a curriculum center; to authorize the parish school board in certain parishes to name a curriculum center in honor of a former educator and coach; to provide limitations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

#### HOUSE BILL NO. 22—

BY REPRESENTATIVES STRAIN AND CURTIS

##### AN ACT

To amend and reenact R.S. 32:197(B), relative to the operation of bicycles; to require certain bicycle riders to travel in one lane of traffic; to prohibit bicycle riders from impeding the movement of traffic; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

#### HOUSE BILL NO. 30—

BY REPRESENTATIVE BAUDOIN

##### AN ACT

To amend and reenact R.S. 56:104(A)(8) and 302.1(C)(2)(d), relative to hunting and fishing licenses; to provide that certain additional disabled persons may receive hunting and fishing licenses for a reduced fee; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

#### HOUSE BILL NO. 38—

BY REPRESENTATIVE FAUCHEUX

##### AN ACT

To enact R.S. 33:447.6, relative to the mayor's court of the town of Litcher; to authorize an increase in court costs for violations of municipal ordinances; to require the local governing authority to authorize the increase in court costs by adoption of an ordinance; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

#### HOUSE BILL NO. 39—

BY REPRESENTATIVE FAUCHEUX

##### AN ACT

To enact R.S. 33:447.6, relative to the mayor's court of the town of Gramercy; to authorize an increase in court costs for violations of municipal ordinances; to require the local governing authority to authorize the increase in court costs by adoption of an ordinance; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 71—**BY REPRESENTATIVE LANCASTER  
AN ACT

To amend and reenact R.S. 18:443.1(B), 443.2(7), 444(I), 445(A)(3) and (4), and 464(C)(4), relative to committees of recognized political parties; to provide with respect to the applicability of provisions of law relative to the establishment, composition, apportionment, and election of, qualifying fees for, and vacancies on such committees; to provide with respect to the number and apportionment of state central committees; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 75—**BY REPRESENTATIVE MURRAY  
AN ACT

To enact R.S. 1:55(E)(4), relative to legal holidays; to provide that the Municipal Court of New Orleans and the Traffic Court of New Orleans shall have the same legal holidays as the Civil District Court for the parish of Orleans and the Criminal District Court for the parish of Orleans; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 97—**BY REPRESENTATIVE NEVERS  
AN ACT

To enact R.S. 17:85.2, relative to naming a high school football stadium; to authorize the city school board in certain cities to name a high school football stadium in honor of a former coach; to provide limitations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

**HOUSE BILL NO. 124—**BY REPRESENTATIVE DOERGE  
AN ACT

To enact R.S. 33:449, relative to mayors' courts; to create a mayor's court of the village of Heflin in Webster Parish; to provide for jurisdiction of the court; to provide for the power and authority of the mayor; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 125—**BY REPRESENTATIVE ANSARDI  
AN ACT

To designate a portion of Louisiana Highway 48 as Reverend Richard Wilson Drive; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 164—**BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 6:506(E) and 507(D), relative to financial institution branch offices; to provide for leased branch offices; to provide for waiver of certain closure requirements; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 181—**BY REPRESENTATIVE FLAVIN  
AN ACT

To enact R.S. 45:163(C)(5) through (8), relative to the enforcement agents of the Public Service Commission; to provide that those enforcement agents shall be commissioned law enforcement officers; to provide for the powers of those enforcement agents, including the authority to carry weapons; to provide for the qualifications of those enforcement agents; to provide for the training of those enforcement agents; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 185—**BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 6:231(C), relative to amendments to the articles of incorporation of banks; to provide a procedure for after-the-fact approval of amendments to articles; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 188—**BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 6:285(A), (C)(1), and (F), 714(A), (C), and (F), and 1188(C), relative to officers of certain financial institutions; to provide for officers; to provide for election by the board of directors; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 190—**BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 6:351(C) and 352.1(A), (B)(introductory paragraph), and (H), relative to share exchanges; to revise the definition of share exchange procedures between state financial institutions; to require commissioner approval for share exchanges; to require shareholder approval for share exchanges; to eliminate certain filing requirements with the commissioner; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 200—**BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 33:1236(49)(b)(i), relative to derelict structures; to authorize the governing authority of the parish of Bossier to compel or require property owners to repair or demolish such structures and to charge the property owners therefor; to provide for the collection of such charges and enforcement thereof; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 225—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:217(B) and (C), 232(C), 352.1(H)(4), 361(B)(2), 364.1(B), 365.1(A)(4), 366(E), 367(B)(7), 706(D), (E), and (F), 721(C)(4), (D), and (F), 862, 863(B), 868(E), 938(C), 1273(C), and 1284(5), relative to financial institution filing requirements; to eliminate document filing requirements with the secretary of state; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 240—**

BY REPRESENTATIVE GALLOT

AN ACT

To enact R.S. 32:63(C), relative to speed limits; to establish the speed limit on Louisiana Highway 150 within the city limits of the city of Grambling; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 282—**

BY REPRESENTATIVES DEWITT AND MURRAY

A JOINT RESOLUTION

Proposing to amend Article XII, Section 8.1(C)(1)(f) and (g) of the Constitution of Louisiana and to repeal Article XII, Section 8.1(C)(1)(h), relative to the Louisiana Workers' Compensation Corporation; to provide for appointment of members to the board of directors; to remove provision for the appointment of a representative from the state office of risk management; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

**HOUSE BILL NO. 306—**

BY REPRESENTATIVES DEWITT AND MURRAY

AN ACT

To amend and reenact R.S. 23:1398(A)(4) and (5) and (D) and to repeal R.S. 23:1398(A)(6), relative to Louisiana Workers' Compensation Corporation; to provide for the appointment of members to the board of directors; to provide for the submission of nominees for the board of directors; to repeal the provision that allows for the appointment of a representative from the office of risk management; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

**HOUSE BILL NO. 313—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:937 and 1207, relative to dividends and capital surplus; to revise certain dividend and capital surplus requirements; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 327—**

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 42:141(A) and (B), 161, and 162(A), relative to the oath of office taken by a public officer; to provide for when a public official shall take the oath of office and who may administer the oath; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 334—**

BY REPRESENTATIVE PINAC

AN ACT

To repeal R.S. 3:3654(E)(3) and (4)(e), relative to financing statements for farm products; to repeal the requirement of the signature of the debtor; to repeal the requirement of a general property description; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Agriculture.

**HOUSE BILL NO. 379—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 13:2582(A), relative to justices of the peace; to require a high school diploma or equivalent as a qualification for office; to provide for applicability; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

**HOUSE BILL NO. 400—**

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 18:104(F), 451.1, 532.1(C)(3)(b) and (G)(2)(d), 1922(B), and 1941(A) and to enact R.S. 18:1941(C) and 1942, relative to preclearance of reapportionment and redistricting plans; to require certain notice thereof to the secretary of state; to change references to the Department of Justice; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 405—**

BY REPRESENTATIVE L. JACKSON

AN ACT

To amend and reenact Sections 4 and 5 of Act No. 573 of the 1975 Regular Session of the Legislature, as amended by Act No. 554 of the 1978 Regular Session of the Legislature, Act No. 411 of the 1980 Regular Session of the Legislature, and Act No. 163 of the 1984 Regular Session of the Legislature, relative to the Downtown Development District of the city of Shreveport; to provide with respect to the responsibility of the Downtown Development Authority to encourage and aid in the preservation, revitalization, and beautification of property within the Downtown Development District; to provide with respect to the authority to provide financial assistance for such preservation, revitalization, and beautification; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 420—**

BY REPRESENTATIVES MURRAY AND HEATON

AN ACT

To enact R.S. 13:1222, relative to the clerk of the Orleans Parish Civil District Court; to authorize the clerk to purchase or lease two motor vehicles for the use of the office and to pay the premiums on the insurance for those motor vehicles; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 424—**BY REPRESENTATIVES PITRE AND WALSWORTH  
A JOINT RESOLUTION

Proposing to amend Article I, Section 4 of the Constitution of Louisiana, to authorize the legislature to place limitations on the extent of recovery for the taking of, or loss or damage to, property rights affected by coastal wetlands conservation, management, preservation, enhancement, creation, or restoration activities; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 445—**BY REPRESENTATIVES WELCH AND DANIEL  
AN ACT

To enact R.S. 13:992.1, relative to court costs in the Nineteenth Judicial District Court; to authorize the Nineteenth Judicial District Court and the clerk of court of the Nineteenth Judicial District Court to impose additional costs of court and service charges in certain civil matters; to provide for collection of such costs and charges; to establish a judicial building fund; to provide for the dedication and disbursement of such funds; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 450—**BY REPRESENTATIVE DOWNER  
AN ACT

To amend and reenact R.S. 32:418, relative to the office of motor vehicles; to provide for registration of certain persons with the United States Selective Service when applying for a driver's license, permit, or identification card; to provide for registration of other persons upon reaching eighteen years; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 464—**BY REPRESENTATIVE MARTINY  
AN ACT

To enact R.S. 27:311.1, relative to the Video Draw Poker Devices Control Law; to provide relative to requirements for submitting certain information when filing an application for an additional license; to provide for applicability; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

**HOUSE BILL NO. 478—**BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 47:1703.1(A), relative to registration of the homestead exemption; to require the assessor in Jefferson Parish to provide a form for the permanent registration of the homestead exemption; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 483—**BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 9:3550(B)(3), (E)(1) and (2), and (F) and to repeal R.S. 9:3530(A)(4), relative to insurance premium

finance companies; to provide for an origination fee; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**HOUSE BILL NO. 539—**BY REPRESENTATIVE ODINET  
AN ACT

To enact R.S. 17:85.2, relative to naming a high school football stadium; to authorize the parish school board in certain parishes to name a high school football stadium in honor of a former coach; to provide limitations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Education.

**HOUSE BILL NO. 559—**BY REPRESENTATIVE PIERRE AND SENATOR ROMERO  
AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(i), relative to the Department of Wildlife and Fisheries, including provisions to provide for the re-creation of the Department of Wildlife and Fisheries and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

**HOUSE BILL NO. 664—**BY REPRESENTATIVE CAZAYOUX  
AN ACT

To amend and reenact R.S. 13:3049(B)(1)(b) and (2)(a) and to enact R.S. 13:3049(B)(1)(e), relative to jury service in criminal and civil trials; to increase the daily compensation for serving on a jury; to increase the jury filing fees in civil cases to the clerk of court; to increase the amount deposited into the registry of the court; to provide for an additional fee in criminal cases; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 721—**BY REPRESENTATIVES WINSTON AND STRAIN AND SENATOR THOMAS  
AN ACT

To enact R.S. 49:149.27, relative to public buildings; to provide that the building in Covington known as the St. Tammany Livestock Show Facility be renamed as the Bobby Fletcher Agricultural Center; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 792—**BY REPRESENTATIVE L. JACKSON  
AN ACT

To enact R.S. 17:1603, relative to state buildings; to provide that the administration building at Southern University at Shreveport be renamed the Dr. Leonard C. Barnes Administration Building; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 796—**BY REPRESENTATIVE MARTINY  
AN ACT

To enact R.S. 14:231, relative to offenses against property; to create the crime of air bag fraud; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 896—**BY REPRESENTATIVE PIERRE AND SENATOR ROMERO  
AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(j), relative to the Department of Natural Resources, including provisions to provide for the re-creation of the Department of Natural Resources and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

**HOUSE BILL NO. 1009—**BY REPRESENTATIVE SCHWEGMANN  
AN ACT

To enact R.S. 14:34.5.1, relative to offenses against the person; to create the crime of battery of a bus operator; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 1296—**BY REPRESENTATIVE TRICHE  
AN ACT

To enact R.S. 47:296.2 and R.S. 56:647(C), relative to the suspension or denial of recreational hunting and fishing licenses; to provide for the suspension, revocation, or denial of the issuance of certain licenses for failure to pay the individual income tax; to provide for promulgation of rules; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

**HOUSE BILL NO. 1393—**BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 37:919 and to enact R.S. 37:918(18), relative to the Louisiana State Board of Nursing; to provide for the authority of the board relative to the purchase or sale of immovable property and any improvements; to provide for the domicile of the offices that administer the provisions adopted by the board; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

### House Concurrent Resolutions on Second Reading

The following House Concurrent Resolutions were read and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 125—**BY REPRESENTATIVE GALLOT  
A CONCURRENT RESOLUTION

To commend the Tennessee Walking Horse, Sundrop Country, and his owners, Dr. Harry Woodall and Mary Woodall of Homer, for winning the title of 2002 World Grand Champion Plantation Pleasure Lite Shod Walking Horse at the Sixty-Fourth Annual Walking Horse National Celebration in Shelbyville, Tennessee, and for being named "The Lite Shod Horse of the Year".

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	Marionneaux
Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Fontenot	Lentini	
Total—32		

**NAYS**

Total—0

**ABSENT**

Bean	Fields	Thomas
Cravins	Jones, B	
Dean	Malone	
Total—7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 126—**BY REPRESENTATIVE MARTINY  
A CONCURRENT RESOLUTION

To declare May 7, 2003, as Boys and Girls Club Day in the state of Louisiana.

The resolution was read by title. Senator Lentini moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	Marionneaux
Adley	Heitmeier	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Fontenot	Lentini	
Total—32		

## NAYS

Total—0

## ABSENT

Bean	Fields	Thomas
Cravins	Jones, B	
Dean	Malone	
Total—7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

## HOUSE CONCURRENT RESOLUTION NO. 129— BY REPRESENTATIVE NEVERS

### A CONCURRENT RESOLUTION

To honor the foster parents of the year 2003 in each region and to express the appreciation of the legislature for their valuable contribution to strengthening family life in Louisiana;

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

## ROLL CALL

The roll was called with the following result:

## YEAS

Mr. President	Gautreaux	Marionneaux
Adley	Heitmeier	McPherson
Bajole	Hines	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullio
Fontenot	Lentini	
Total—32		

## NAYS

Total—0

## ABSENT

Bean	Fields	Thomas
Cravins	Jones, B	
Dean	Malone	
Total—7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

## HOUSE CONCURRENT RESOLUTION NO. 130— BY REPRESENTATIVE THOMPSON

### A CONCURRENT RESOLUTION

To urge and request the House and Senate Transportation, Highways and Public Works Committees and the House and Senate Committees on Agriculture, Forestry, Aquaculture, and Rural Development to work with the Department of Transportation and Development, the Department of Agriculture and Forestry, the Governor's Aviation Advisory Commission, representatives of the telecommunication industry, farmers, and the general public to study the practicality and feasibility of identifying and requiring the registering and marking of communication towers less than two hundred feet in height.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

## Senate Bills and Joint Resolutions on Second Reading Reported by Committees

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

### SENATE BILL NO. 7—

BY SENATOR THEUNISSEN AND REPRESENTATIVES JOHN SMITH AND MCDONALD

### AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii), relative to the Tuition Opportunity Program for Students; to provide for the time period in which a nonresident on active duty with the United States Armed Forces who is stationed in Louisiana under permanent change of station orders must change his military records to establish Louisiana as his official home of record in order for a dependent child to be eligible for an award; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Education.

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 7 by Senator Theunissen

### AMENDMENT NO. 1

On page 1, line 7, change "home of record" to "state of legal residence"

### AMENDMENT NO. 2

On page 2, line 24, change "home of record" to "~~home of record~~ official state of legal residence"

### AMENDMENT NO. 3

On page 3, line 3, change "home of record" to "~~home of record~~ state of legal residence"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### SENATE BILL NO. 28—

BY SENATOR DUPRE AND REPRESENTATIVE PITRE

### AN ACT

To enact R.S. 47:463.111, relative to motor vehicles; to provide relative to the issuance of license plates; to create the "America's WETLAND" prestige license plate to promote Louisiana's coastal wetlands and coastal wetland restoration; to provide relative to the fee for such plates; to provide for the design of such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 28 by Senator Dupre

### AMENDMENT NO. 1

On page 1, line 14, change "are" to "is" and at the end of the line change the comma "," to a period "."

### AMENDMENT NO. 2

On page 1, line 15, delete "for motor vehicles," and insert "The plate shall be"

AMENDMENT NO. 3

On page 2, line 1, change "vans" to "vans. The purpose of the plate is"

AMENDMENT NO. 4

On page 2, line 9, after "annual" insert "royalty"

AMENDMENT NO. 5

On page 2, line 11, after "This" and before "fee" insert "royalty"

AMENDMENT NO. 6

On page 2, at the end of line 15, insert "royalty"

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 41—**

BY SENATOR MCPHERSON

## AN ACT

To amend and reenact R.S. 48:217(A), relative to roads and highways; to provide for the acquisition of rights-of-way on certain highway projects; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 44—**

BY SENATOR MCPHERSON

## AN ACT

To amend and reenact R.S. 48:252(A)(2) and (B)(1), relative to roads and highways; provides for alternate bids on highway project contracts; requires quarterly reports on the bids; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 44 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 3, after "bids on" insert "selected"

AMENDMENT NO. 2

On page 2, line 4, after "bids on" insert "selected"

AMENDMENT NO. 3

On page 2, line 5, delete "and" and on line 6, delete "judgment" and insert "where feasible"

AMENDMENT NO. 4

On page 2, line 21, after "bids on" insert "selected"

AMENDMENT NO. 5

On page 2, line 22, at the end of the line, delete "and" and on line 23, delete "judgment" and insert "where feasible"

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 46—**

BY SENATOR MCPHERSON

## AN ACT

To enact R.S. 17:3048.1(W), relative to the Tuition Opportunity Program for Students; to provide for the use of awards at eligible Louisiana colleges and universities by students who are otherwise qualified for a program award and who enroll as first-time freshmen in an out-of-state college or university; to provide conditions and limitations; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Education. On motion of Senator Theunissen, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 48—**

BY SENATORS HAINKEL AND LAMBERT

## AN ACT

To name the Interstate 10 bridge over the Mississippi River at Baton Rouge for Congressman Jimmy Morrison; and to provide for related matters.

Reported by substitute by the Committee on Transportation, Highways, and Public Works. The bill was read by title; the committee substitute bill was read.

**SENATE BILL NO. (Substitute for Senate Bill No. 48)**

BY SENATOR HAINKEL

## AN ACT

To designate a portion of Interstate 55 as the "Congressman Jimmy Morrison Highway".

Be it enacted by the Legislature of Louisiana:

Section 1. That portion of Interstate 55 that is within Tangipahoa Parish is hereby designated the "Congressman Jimmy Morrison Highway".

On motion of Senator Heitmeier, the committee substitute bill was adopted and becomes Senate Bill No. 1047 by Senator Hainkel, substitute for Senate Bill No. 48 by Senator Hainkel.

**SENATE BILL NO. 1047 (Substitute for Senate Bill No. 48)—**

BY SENATOR HAINKEL

## AN ACT

To designate a portion of Interstate 55 as the "Congressman Jimmy Morrison Highway".

The bill was read by title; lies over under the rules.

**SENATE BILL NO. 82—**

BY SENATOR THEUNISSEN

## AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(vi), and (B)(2)(b)(vi) and (c)(vi), relative to the Tuition Opportunity Program for Students; to include certain agriscience courses as a science option in the core curriculum; and to provide for related matters.

Reported favorably by the Committee on Education. On motion of Senator Theunissen, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 123—**

BY SENATORS DUPRE, CHAISSON, GAUTREAUX AND ROMERO AND REPRESENTATIVES BALDONE, DOWNER AND PITRE

## AN ACT

To amend and reenact R.S. 47:463(A)(3), relative to license plates; to provide that the official Louisiana license plate shall be the "America's WETLAND" license plate; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 123 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 3, delete "Louisiana" and insert "www.Louisiana.gov"

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 141—**

BY SENATOR DUPRE

AN ACT

To enact R.S. 32:408(B)(4)(c), relative to school bus drivers; to provide for a restriction to commercial driver's licenses for operation only of a school bus; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 166—**

BY SENATOR FIELDS

AN ACT

To enact R.S. 17:10.5, relative to school accountability; to establish the School Testing Right to Know law; to provide for the release to the public of school-by-school or district-by-district elementary and secondary school standardized test scores; to provide for the release of certain school or district level data; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 166 by Senator Fields

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 17:3911(B)(1)(k) and to" and change "10.5" to "3911(B)(1)(l), (m), (n), and (o)" and delete "to establish the School"

AMENDMENT NO. 2

On page 1, delete lines 3 and 4 and on line 5, delete "school standardized test scores;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." insert "R.S. 17:3911(B)(1)(k) is hereby amended and reenacted and" and change "10.5 is" to "3911(B)(1)(l), (m), (n), and (o) are"

AMENDMENT NO. 4

On page 1, delete lines 9 through 15 and on page 2, delete lines 1 through 23 and insert the following:

"§3911. Data collection system; establishment  
\* \* \*

B.(1) The data collection system shall provide for but shall not be limited to the regular collection of the following information on a per school basis:

\* \* \*

(k) Poverty level.

(l) Number of special education students.

(m) The number of teachers who are not fully certified in the area in which they are teaching.

(n) The average per pupil expenditure of funds in the school system.

~~(k)~~(o) Such other data as the board may approve.

\* \* \*

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 208—**

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact the introductory paragraph of R.S. 32:387.7, R.S. 32:387.7(3), the introductory paragraph of R.S. 32:387.9, R.S. 32:387.9(3) and (5), and to enact R.S. 32:387.7(5) and 387.9(6), relative to special permits; to provide for the issuance of special sugarcane and agronomic or horticultural permits to operators of vehicles; to provide for the specificity of such permits; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 280—**

BY SENATOR BEAN

AN ACT

To amend R.S. 34:3160(D), relative to ports; to increase the maximum term of certain contracts, leases, and other agreements which may be entered into by the Caddo-Bossier Parishes Port Commission; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 323—**

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 48:279, relative to highways; to provide relative to night time construction and maintenance work on limited access highways; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 339—**

BY SENATOR IRONS

AN ACT

To enact R.S. 47:463.111, relative to motor vehicle license plates; to provide for a special prestige license plate for Invest in Children; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 353—**

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:408(B)(6), relative to driver's licenses; to provide for the office of motor vehicles to issue a temporary driver's permit under certain conditions; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 364—**  
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii), relative to the Tuition Opportunity Program for Students; to provide relative to the duration of residency required for independent students and a parent of a dependent student; to provide relative to the eligibility of the dependent child of a member of the United States armed forces who is not and does not become a resident of the state, but who lives in the state under permanent change of station orders; to revise certain language; to revise certain citizenship requirements; to reinstate awards to certain students based on citizenship status; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 364 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 4, after "required for" delete the remainder of the line and insert "an independent and a"

AMENDMENT NO. 2

On page 2, line 25, before "**state**" insert "**official**"

AMENDMENT NO. 3

On page 3, line 14, change "**2000-2001**" to "**2002-2003**"

AMENDMENT NO. 4

On page 3, line 16, delete "**his parent**"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 365—**  
BY SENATOR THEUNISSEN AND CRANE  
AN ACT

To amend and re-enact R.S. 17:3021 and to enact R.S. 17: 3023(C), relative to the powers and duties of the Louisiana Student Financial Assistance Commission; to require the development and maintenance of a comprehensive state student aid plan that supports the Louisiana's Master Plan for Public Postsecondary Education; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 365 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 9, change "re-enacted" to "reenacted"

AMENDMENT NO. 2

On page 2, line 15, after "**Education**" insert "**, subject to the approval of the Board of Regents**"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 398—**  
BY SENATOR FONTENOT

AN ACT

To enact R.S. 17:17, relative to the State Department of Education; to require the employment of a physical education coordinator; to provide for recommendations regarding such coordinator; to require that submission of a state physical activity plan; to require public elementary schools to provide daily activity ; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 398 by Senator Fontenot

AMENDMENT NO. 1

On page 1, at the end of line 4, delete "that"

AMENDMENT NO. 2

On page 1, delete lines 5 and 6, and insert "the posting of a state physical activity plan to the department website; and to provide for related

AMENDMENT NO. 3

On page 1, line 14, after "public" delete the remainder of the line and line 15 in its entirety and insert "elementary and secondary schools and any relevant state"

AMENDMENT NO. 4

On page 2, line 20, after "Sciences" change "shall" to "may"

AMENDMENT NO. 5

On page 2, line 23, after "shall" delete the remainder of the line and delete lines 24 through 27 and insert "annually post a state physical activity plan on the Department of Education website."

AMENDMENT NO. 6

On page 3, delete lines 1 through 7

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 459—**  
BY SENATORS CAIN, MCPHERSON, MOUNT, SCHEDLER AND THEUNISSEN  
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii), relative to the Tuition Opportunity Program for Students; to provide relative to the eligibility of the dependent child of a member of the United States armed forces who is not and does not become a resident of the state, but who lives in the state under permanent change of station orders; to revise certain language; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 459 by Senator Cain

AMENDMENT NO. 1

On page 2, line 22, before "**state**" insert "**official**"

AMENDMENT NO. 2

On page 3, line 10, after "**(aa)**," insert "**any student who is**"

AMENDMENT NO. 3

On page 3, line 13, after "**orders**" delete the comma " ,"

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## 13th DAY'S PROCEEDINGS

### AMENDMENT NO. 4

On page 3, line 14 after "residence" insert a comma ",."

### AMENDMENT NO. 5

On page 3, at the end of line 17, delete "his parent"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### **SENATE BILL NO. 471—**

BY SENATORS HOYT, THEUNISSEN AND THOMAS AND REPRESENTATIVE CRANE

#### AN ACT

To amend and reenact R.S. 9:154(A)(15) and (C), R.S. 17:3092(1) and (12), 3096(C), 3098(B)(2), and 3129.4(C)(1), and R.S. 44:4.1(8), and to enact R.S. 9:154(A)(16), R.S. 17:3093(D)(1)(i), 3096(A)(1)(e) and (E)(3)(d), and 3098(B)(3), relative to the Student Tuition Assistance and Revenue Trust Program; to provide for administration of the program; to provide for certain education savings accounts to be presumed as abandoned property; to provide for and expand program participation; to provide for interest on accounts; to provide for refunds upon termination; to provide for the designation of beneficiaries; to exclude certain records pertaining to education savings accounts from the public records law; and to provide for related matters.

Reported with amendments by the Committee on Education.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 471 by Senator Hoyt

### AMENDMENT NO. 1

On page 4, line 24, after "entity" insert a comma ","

### AMENDMENT NO. 2

On page 6, line 10, change "E.(1)" to "E."

### AMENDMENT NO. 3

On page 6, line 11, change "(3)(a)" to "(3)"

On motion of Senator Theunissen, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### **SENATE BILL NO. 512—**

BY SENATOR C. JONES

#### AN ACT

To amend and reenact R.S. 23:1514(F), relative to unemployment compensation; to provide with respect to worker training funds; to provide for incentives for contracting with a qualified minority training firm; to provide for definitions; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 512 by Senator C. Jones

### AMENDMENT NO. 1

On page 1, lines 2 and 7, delete "amend and reenact" and insert "enact"

On motion of Senator C. Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### **SENATE BILL NO. 583—**

BY SENATOR MARIONNEAUX

#### AN ACT

To amend and reenact the introductory paragraph of R.S. 2:654(B) and 654(C), (F), (H)(3), and (J), and to enact R.S. 2:654(B)(14) and (15), relative to the Louisiana Airport Authority; to provide for representation from certain parishes on the board of commissioners; to provide for the term of office of each new member; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

### **SENATE BILL NO. 729—**

BY SENATOR MCPHERSON

#### AN ACT

To amend and reenact R.S. 32:387.5, relative to special permits; to authorize vehicles traveling under special permits to use a portion of Interstate 49 as an alternate route for certain highways; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

### **SENATE BILL NO. 771—**

BY SENATOR FIELDS

#### AN ACT

To amend and reenact R.S. 23:1127(C)(2), relative to workers' compensation; to provide with respect to medical examinations; to require any party scheduling a conference to bear the responsibility of paying any fees charged; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 771 by Senator Fields

### AMENDMENT NO. 1

On page 2, lines 5 through 8, delete in its entirety and insert the following: "Irrespective of the number of persons attending the conference or duration of time, the health care provider shall only charge a reasonable single fee."

On motion of Senator C. Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

### **SENATE BILL NO. 808—**

BY SENATOR JOHNSON

#### AN ACT

To enact R.S. 33:9038.24, relative to special districts; to create the Lake Forest Plaza District; to provide for the powers and duties of the district; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 808 by Senator Johnson

### AMENDMENT NO. 1

On page 2, delete lines 9 and 10 in their entirety and insert the following:

"(b) The mayor of the city of New Orleans or his designated representative.

(c) The owner of the Lake Forest Plaza Shopping Center or his designated representative.

(d) The city council member whose council district encompasses the district.

(e) The senator and representative whose senatorial and house districts encompass the district.

(f) The secretary of the Department of Economic Development".

#### AMENDMENT NO. 2

On page 4, delete lines 5 through 27 and delete page 5 in its entirety

#### AMENDMENT NO. 3

On page 6, delete lines 1 and 2 and insert the following:

"F.(1) Tax Increment Financing. In addition to the authority provided to the district, the"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

#### **SENATE BILL NO. 821—**

BY SENATOR SCHEDLER

#### AN ACT

To amend and reenact R.S. 33:130.401(A), 130.402(A)(1) and (F), 130.403(10), 130.404(A)(1), (B)(1),(2) and(3) and 130.406(B)(2), to enact R.S. 33:130.403 (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (23), and 130.404 (C), (D), and (E), and to rename Subpart B-17 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, all relative to the St. Tammany Parish Economic and Industrial Development District; to provide for the name of the district, its powers, and purpose; to clarify its membership requirements; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill was read by title, ordered engrossed, and passed to a third reading.

#### **SENATE BILL NO. 824—**

BY SENATOR HEITMEIER

#### AN ACT

To amend and reenact R.S. 23:1600(6)(a)(i), relative to unemployment benefits; to clarify law relative to prohibiting certain temporary teachers from receiving unemployment benefits during summer vacation between school terms; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. On motion of Senator C. Jones, the bill was read by title, ordered engrossed, and passed to a third reading.

#### **SENATE BILL NO. 829—**

BY SENATOR BARHAM

#### AN ACT

To enact Part XXVI of Chapter 13 of Title 38, consisting of R.S. 38:3087.190 through 3087.194, relative to water conservation; to create the Morehouse Parish Lake Commission; to provide for powers, membership, officers, terms, meetings, and compensation of the commission; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 829 by Senator Barham

#### AMENDMENT NO. 1

On page 2, line 22, after "with" delete the remainder of the line

#### AMENDMENT NO. 2

On page 2, at the beginning of line 23, delete "supervision and control of,"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

#### **SENATE BILL NO. 868—**

BY SENATOR JOHNSON

#### AN ACT

To amend and reenact R.S. 33:9072(D)(1)(a) and (2), relative to the Lake Forest Estates Improvement District; to provide for a majority approval of any fees or taxes imposed within the district; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 868 by Senator Johnson

#### AMENDMENT NO. 1

On page 1, lines 2 and 8, between "(a)" and "and (2)" insert "and (c)"

#### AMENDMENT NO. 2

On page 2, at the end of line 13, insert "**Any unpaid tax or fee will be added to the tax rolls of the city and shall be enforced with the same authority and subject to the same penalties and procedures as are unpaid ad valorem taxes.**"

#### AMENDMENT NO. 3

On page 2, between lines 14 and 15, insert the following:

"(c) The proceeds of said tax or fee shall be used solely and exclusively for the purposes and benefit of the district. Said proceeds shall be paid over to the Board of Liquidation, City Debt, day by day as the same are collected and received by the appropriate officials of the city of New Orleans and maintained in a separate account. Said proceeds shall be paid out by the Board of Liquidation, City Debt, solely for the purposes herein provided upon warrants or drafts drawn on said Board of Liquidation, City Debt, by the appropriate officials of the city and the treasurer of the district. **The city may retain one percent of the amount collected as a collection fee.**"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

#### **SENATE BILL NO. 870—**

BY SENATOR JOHNSON

#### AN ACT

To amend and reenact R.S. 33:9073.1(B) and (E), relative to the Huntington Park Subdivision Improvement District; to clarify the boundaries of the district; to provide for a majority approval by the electors of the district of any fees or taxes imposed within the district; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 873—**  
BY SENATOR JOHNSON

AN ACT

To enact R.S. 33:4880, relative to illegal dumping; to authorize the governing authority for the parish of Orleans to increase the fine for illegal dumping; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 873 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 11, change "five" to "ten"

AMENDMENT NO. 2

On page 1, line 13, after "waste" insert "upon any public property within the boundaries of the New Orleans Business and Industrial District as provided in R.S. 33:4701. However, this provision shall not apply to any activity occurring in the course of servicing scheduled pickup routes pursuant to commercial, municipal or local government contracts or en route to an authorized pickup station, transfer station or disposal facility by persons owning or operating duly licensed commercial vehicles engaged in the collection and transportation of solid waste, construction or demolition debris or wood waste as such terms are defined by the rules and regulations of the Louisiana Department of Environmental Quality"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 940—**  
BY SENATOR C. JONES

AN ACT

To enact R.S. 23:1514(F), relative to unemployment compensation; to provide with respect to worker training funds; to provide for customized training for all employees; and to provide for related matters.

Reported favorably by the Committee on Labor and Industrial Relations. On motion of Senator C. Jones, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 993—**  
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 34:202, relative to the Lake Charles Harbor and Terminal District; to provide with respect to the members of the board of commissioners; to provide for vacancies on the board; to provide with respect to removal of board members; and to provide for related matters.

Reported by substitute by the Committee on Transportation, Highways, and Public Works. The bill was read by title; the committee substitute bill was read.

**SENATE BILL NO. (Substitute for Senate Bill No. 993 by Senator Theunissen)**

BY SENATORS THEUNISSEN AND MOUNT AND REPRESENTATIVES FLAVIN, JOHNS, MORRISH AND STELLY

AN ACT

To amend and reenact R.S. 34:202 and 204 and to enact R.S. 34:204.1, relative to the Lake Charles Harbor and Terminal District; to provide relative to the appointment and terms of the district's board of commissioners; to provide relative to the board's responsibility for management of the district; to provide

for the employment of a port director including his qualifications and duties; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 34:202 and 204 are hereby amended and reenacted and R.S. 34:204.1 is hereby enacted to read as follows:

§202. Lake Charles Harbor and Terminal District; ratification; board of commissioners; members; officers; agents; and employees

A. (1) The governing authority of the district shall be a board of commissioners which shall be known as the Board of Commissioners of the Lake Charles Harbor and Terminal District. All appointments shall be submitted to the Senate for confirmation. The board shall consist of seven members who shall be citizens of the United States and qualified voters, and inhabitants of this district during their terms of office. The commissioners shall serve overlapping terms, as established by Act No. 67 of 1924, of six years each. The present members shall continue to serve on the board until September 15, 1988.

(2)(a) The governor shall appoint commissioners, subject to Senate confirmation. Except for initial appointments and terms, which are provided for in Subparagraph (b) of this Paragraph, commissioners shall serve four-year terms and shall be appointed from nominations as follows:

(i) One of the successors to the two members serving initial terms as provided in Item (b)(i) of this Paragraph shall be appointed from a list of three nominees submitted by the governing authority of Lake Charles and the other from a list of three nominees submitted by the governing authority of Calcasieu Parish.

(ii) One of the successors to the two members serving initial terms as provided in Item (b)(ii) of this Paragraph shall be appointed from a list of three nominees submitted by the governing authority of Westlake and the other from a list of three nominees submitted by the governing authority of Cameron Parish.

(iii) Successors to the three members serving initial terms as provided in Item (b)(iii) of this Paragraph shall be appointed from a list of nominees submitted jointly by the state legislators who represent any part of the district.

(b) All seven initial appointments after the effective date of the Act which originated as Senate Bill No. of the 2003 Regular Session shall be made from a list of nominees submitted jointly by the state legislators who represent any part of the district. A vacancy in an initial term prior to the expiration of the term shall be filled in the same manner as these initial appointments. Initial terms, as determined by lot at the first meeting, shall be as follows:

(i) Two members shall serve two years.

(ii) Two members shall serve three years.

(iii) Three members shall serve four years.

B: (3) Any vacancies Except as otherwise provided by Paragraph (2) of this Subsection, any vacancy in the membership of the board hereafter occurring by reason of expiration of the terms for which appointed, or by reason of death, resignation, or otherwise shall be filled for the remainder of any unexpired term, in the following same manner as the person vacating the position was appointed.

(4) Nominations from the legislative delegation and appointments by the governor from those nominations shall be made so that the composition of the board includes at least one member of a racial minority.

(5) No member shall serve more than two consecutive terms. After having served two consecutive terms, a commissioner shall not be eligible for appointment to the board for a period of eight years after completion of the second term.

(1) The first vacancy on the board shall be filled by one appointment by the Calcasieu Parish Police Jury, with the advice and consent of the Senate, for a period of four years.

(2) The next vacancy on the board shall be filled by one appointment of the Cameron Parish Police Jury, with the advice and consent of the Senate, for a period of four years.

(3) The next vacancy on the board shall be filled by appointment by the governor, with the advice and consent of the Senate, from a list of three nominees submitted to the governor by the city council of the city of Lake Charles for a period of two years. All three nominees submitted to the governor shall be members of a racial minority.

(4) The next vacancy on the board shall be filled by appointment by the governor, with the advice and consent of the Senate, from a list of three nominees submitted to the governor by the city council of the city of Lake Charles for a period of four years.

(5) The next vacancy on the board shall be filled by appointment by the governor, with the advice and consent of the Senate, from a list of three nominees from that portion of the district lying within Ward 4 of Calcasieu Parish submitted to the governor by the state senators and representatives in the legislature representing the parish of Calcasieu for a period of two years.

(6) The next vacancy on the board shall be filled by appointment by the governor, with the advice and consent of the Senate, from a list of three nominees submitted to the governor by the state senators and representatives in the legislature representing the parish of Calcasieu for a period of six years.

(7) The next vacancy on the board shall be filled by appointment by the governor, with the advice and consent of the Senate, from a list of three nominees submitted to the governor by the state senators and representatives in the legislature representing the parish of Calcasieu for a period of six years.

(8) Any further vacancies shall be filled in the same order of rotation as shown in Paragraphs (1) through (7) hereof.

(9) If now, or hereafter, one or more of the seven groups set forth above has no commissioner on the board, the seven groups shall proceed to rectify this failure of representation of one or more groups by diverting, in case of a vacancy, from the order of appointments named hereinabove and appointments being made instead from the unrepresented groups, and then thereafter, shall revert to the order of nominations and appointments, as set forth in Paragraphs (1) through (7) herein. If more than one of the seven groups are unrepresented on the board, priorities shall be in the order of rotation as shown in Paragraphs (1) through (7) with the Calcasieu Parish Police Jury having first priority, the Cameron Parish Police Jury shall have second priority, the city council of the city of Lake Charles shall have third and fourth priorities, and the Louisiana legislators representing Calcasieu Parish shall have fifth, sixth, and seventh priorities. It is the intention of this language that the purpose of providing one commissioner for each group shall be corrected and rectified at the earliest possible date, and at the time of the earliest possible vacancy. To facilitate this transition each of the seven groups shall, within thirty days after the promulgation of this Section, notify the governor if the appointment is to be made by the governor, and the board of commissioners if the appointment is to be made by an appointing group, whether it does or does not have a commissioner on the effective date of this Section, with the name of such commissioner if it has one, and if it has none, it shall so certify such fact to the governor or to the board of commissioners, whichever is appropriate.

(10) The groups referred to in this Section shall be understood and construed to be the seven groups presently existing in the parishes of Calcasieu and Cameron by the designated names, or their respective legal successors.

(11)(a) If any one or more of groups (3) through (7) referred to in this Section ceases to exist or to function without any legal successor, then the nominees to be submitted to the governor by such groups shall instead be submitted by the state senators and representatives representing the parish of Calcasieu.

(b) If any one or more of groups (1) and (2) referred to in this Section ceases to exist or to function without any legal successor, then the board of commissioners shall make the appropriate appointment.

(12)(a) In the event that for any reason the governor fails to receive three nominees for a vacancy, to which he makes an appointment, as provided herein, within sixty days after the expiration

of the term of a member of the board he has appointed or the occurrence of a vacancy on the board from any other cause of a member of the board whom he has appointed, the governor shall proceed forthwith to make an appointment to fill such vacancy. The group failing to submit such nominees shall lose its turn in the rotation.

(b) In the event that for any reason one of the appointing groups (1) or (2) fails to fill a vacancy by appointment within sixty days after the expiration of a term of a member of the board it has appointed, the appropriate group shall proceed forthwith to make an appointment to fill such vacancy.

~~C.B.~~ Any commissioner appointed by the governor may be removed by the governor and any commissioner appointed by one of the groups herein may be removed by the appointing group but only for cause, including but not limited to for a violation of Subsection D of this Section, and on charges preferred against him in writing and after public hearing and proof of the sufficiency of such charges. provided that any Any commissioner so removed shall have the right to test in the courts the sufficiency of the charges and of the evidence tendered in support thereof.

~~D.C.~~ The commissioners shall serve without compensation and shall have the power to organize and reorganize legal, executive, engineering, clerical, and other departments and forces of the board and to fix the duties, powers, and compensation of all officers, agents, and employees of the board.

D. The commission shall be responsible for establishing broad, directional policies of the district and may take only such action which is in accordance with powers and authorities established in this Part or otherwise as authorized by state or federal law. Neither the board of commissioners nor any individual member thereof shall conduct day-to-day business and operational affairs of the district nor shall any individual member direct or attempt to direct the day-to-day operational decisions of the port director or any other employee of the district.

\* \* \*  
§204. Officers of board; meetings; offices; agents and employees; travel

A. The board shall elect from among its own members a president, a vice president, a secretary, and a treasurer, whose duties shall be only those duties established in the bylaws of the board, adopted or amended by two-thirds of the board; however, such duties shall be those usual to such offices. At the option of the board, the offices of secretary and treasurer may be held by one person. The board shall meet in regular session once each month and shall also meet in special session as often as the president of the board convenes them, or on written request of four voting members. Four voting members of the board shall constitute a quorum. No action may be taken by the board without concurrence of at least four voting members. The board shall prescribe rules to govern its meetings and shall maintain suitable offices in the city of Lake Charles. The board shall elect its officers prior to July first each year, and officers shall serve in such positions until July first of the following year. No person shall be elected to service for more than two consecutive years in the same office. After serving two consecutive years in a particular office, a member shall not be eligible to hold that office for a period of one year.

B. The board may contract with and employ a port director, who shall have at least two years experience in port operations, trade or industrial development, customer relations, or in business or public administration, and fix his compensation and term of employment which shall not exceed three years in any one contract and may contract with and employ attorneys, clerks, and engineers, superintendents, stevedores, and other agents and employees, and fix their compensation and term terms of employment.

C. The board shall not pay any costs associated with out-of-state travel by a board member unless such payment is approved by five members of the board voting at a meeting of the board.

§204.1. Port director

R.S. 34:204.1 is all proposed new law.

A. The board shall contract with and employ a port director.

B. The port director shall meet both of the following minimum qualifications:

(1) A four-year degree from a college or university that was, at the time the degree was granted, accredited by a nationally recognized higher education accrediting agency recognized and approved by the Louisiana Board of Regents.

(2) At least five years of experience in port operations, trade or industrial development, or business or public administration.

C. The board may fix the compensation of the port director. The term of the employment contract with the port director shall not exceed three years. The board shall conduct, at least once each year, a written performance review of the port director in accordance with an evaluation procedure to be established by the board. Within ten days of its completion, such written evaluation shall be sent to the members of the state legislative delegation who represent any part of the district.

D. The port director shall be the chief administrative officer of the district. He shall be responsible for the efficient administration of the district and shall oversee its day-to-day operations. The port director shall:

(1) Supervise enforcement and execution of the broad, directional policies and other procedures of the board.

(2) Attend all meetings of the board of commissioners.

(3) Recommend to the board any measures necessary or expedient for the good governance and welfare of the port.

(4) Supervise the official conduct of all officers of the district appointed by the director.

(5) Supervise the performance of all contracts for work to be done for the district, make all purchases of material and supplies, and see that such material and supplies are received and are of the quality and character called for by the contract.

(6) Supervise the construction, improvement, repair, maintenance, and management of all district property, capital improvements, and undertakings of the district, including the making and preservation of all surveys, maps, plans, drawings, specifications, and estimates for capital improvements.

(7) Cooperate with any city and parish officials in the operations of the district.

(8) Keep the state legislators who represent any part of the district fully advised of the financial and other conditions of the district and of its future needs.

(9) Prepare and submit to the board annual operating and capital budgets.

(10) Conduct the business affairs of the district and cause accurate records to be kept by modern and efficient accounting methods.

(11) Make to the board, not later than the fifteenth day of each month, an itemized financial report, in writing, showing the receipts and disbursements for the preceding month.

(12) Contract with superintendents, stevedores, and other agents and employees and fix their compensation and terms of employment as deemed appropriate.

(13) In accordance with applicable law and without approval of the board, employ, reclassify, fix the compensation of, or discharge or impose other disciplinary action on all employees who do not directly contract with or report to the board.

(14) Summarily and without notice to the board or otherwise, investigate the affairs and conduct of any department, agency, officer, or employee who does not directly contract with or report to the board and who is under the director's supervision. The director may compel the production of evidence and attendance of witnesses relative to such investigation. Based on such investigation, the port director may take, in accordance with applicable law, any action he deems appropriate and in the best interest of the district.

(15) Hold an annual orientation session for board members which includes ethics training, information on audits of the district, responsibilities of members, policies and procedures, and the current financial condition of the district.

(16) Perform all such other duties as may be necessary to carry on the day-to-day business affairs of the district within the broad, directional policies established by the board of commissioners.

(17) Perform all other actions and duties as authorized by the board.

Section 2.(A) On the effective date of this Act, the terms of all members of the Lake Charles Harbor and Terminal District board of commissioners serving on such date shall terminate, and the board shall be appointed in accordance with the provisions of this Act. However, the members in office on the effective date of this Act shall continue to serve in their positions until at least five members appointed pursuant to this Act have been appointed and qualified.

(B) When at least five members have been appointed in accordance with this Act and qualified, the state senator representing the majority of the district shall call an organizational meeting of the newly appointed board. At that meeting, members shall determine, by lot, their initial terms and shall elect officers. Officers elected at that meeting shall serve in such offices until July 1, 2004.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

On motion of Senator Heitmeier, the committee substitute bill was adopted and becomes Senate Bill No. 1048 by Senator Theunissen, substitute for Senate Bill No. 993 by Senator Theunissen.

**SENATE BILL NO. 1048 (Substitute for Senate Bill No. 993 by Senator Theunissen)—**

BY SENATORS THEUNISSEN AND MOUNT AND REPRESENTATIVES FLAVIN, JOHNS, MORRISH AND STELLY  
AN ACT

To amend and reenact R.S. 34:202 and 204 and to enact R.S. 34:204.1, relative to the Lake Charles Harbor and Terminal District; to provide relative to the appointment and terms of the district's board of commissioners; to provide relative to the board's responsibility for management of the district; to provide for the employment of a port director including his qualifications and duties; and to provide for related matters.

The bill was read by title; lies over under the rules.

**SENATE BILL NO. 1020—**

BY SENATOR ULLO  
AN ACT

To enact R.S. 33:423.13, relative to powers and duties of the chief of police in the town of Grand Isle; to authorize the chief of police in the town of Grand Isle to hire and fire his personnel; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 1020 by Senator Ullo

**AMENDMENT NO. 1**

On page 1, between lines 5 and 6, insert "Notice of intention to introduce this Act has been published."

**AMENDMENT NO. 2**

On page 1, line 12, between "provision" and "law" insert "of"

**AMENDMENT NO. 3**

On page 1, line 15, between "positions" and "the police" change "of" to "for"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 1043—**

BY SENATOR CAIN

## AN ACT

To designate a portion of Louisiana Highway 394 in Beauregard Parish as the "Clayton Iles Memorial Highway".

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

**Rules Suspended**

Senator Boissiere asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON****RETIREMENT**

Senator Boissiere, Chairman on behalf of the Committee on Retirement, submitted the following report:

April 28, 2003

To the President and Members of the Senate:

I am directed by your Committee on Retirement to submit the following report:

**SENATE BILL NO. 192—**

BY SENATOR BOISSIERE

## AN ACT

To enact Part VIII of Chapter 5 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:2025 through 2029, relative to the Parochial Employees' Retirement System of Louisiana; to create and provide relative to an excess benefit plan for members of the fund; to provide for definitions, benefits, and contributions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 728—**

BY SENATOR C. JONES

## AN ACT

To enact R.S. 11:553(18), relative to Louisiana State Employees' Retirement System; to provide with respect to eligible judges and court officers; to include the judicial administrator and his deputies for the Fourth Judicial District Court for the parishes of Morehouse and Ouachita; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
LAMBERT BOISSIERE, JR.  
Chairman

**Rules Suspended**

Senator Hoyt asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 433 from the Committee on Natural Resources.

**SENATE BILL NO. 433—**

BY SENATOR HOYT

## AN ACT

To amend and reenact R.S. 30:28(A), relative to drilling permits; to provide for a waiver of drilling permit fees under certain circumstances; and to provide for related matters.

On motion of Senator Hoyt, the bill was read by title and withdrawn from the files of the Senate.

**Rules Suspended**

Senator Irons asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 570 from the Committee on Local and Municipal Affairs.

**SENATE BILL NO. 570—**

BY SENATOR IRONS

## AN ACT

To amend and reenact R.S. 25:746(A), (B)(2), (3) and (6), (C)(2), (3) and (4), (D)(5), (E)(4), and (H) and to enact R.S. 25:746(I), relative to the Vieux Carre section of New Orleans, a historic preservation district authorized under the Louisiana Constitution of 1921 which constitutional authority is retained by the Louisiana Constitution of 1974; to provide for the review of such historic preservation district commission decisions; to provide for appeal of such decisions to district court; to provide for a cash bond; to provide for actions in the court of appeal and supreme court; and to provide for related matters.

On motion of Senator Irons, the bill was read by title and withdrawn from the files of the Senate.

**Motion to Recommit**

Senator Irons asked for and obtained a suspension of the rules and recommitted Senate Bill No. 704 from the Committee on Health and Welfare to the Committee on Local and Municipal Affairs.

**Motion to Recommit**

Senator Cravins asked for and obtained a suspension of the rules and recommitted Senate Bill No. 957, which was on Third Reading and Final Passage, to the Committee on Finance.

**Reconsideration**

On motion of Senator Hoyt, pursuant to the previous notice given, the vote by which the following bill failed to pass on Thursday, April 24, 2003 was reconsidered.

**SENATE BILL NO. 81—**

BY SENATOR HOYT

## AN ACT

To repeal R.S. 18:402(F)(5), relative to election dates; to eliminate the January and July election dates for bond, tax or other proposition elections; and to provide for related matters.

On motion of Senator Hoyt, the bill was read by title and returned to the Calendar, subject to call.

**Reconsideration**

On motion of Senator Dardenne, pursuant to the previous notice given, the vote by which the following bill failed to pass on Thursday, April 24, 2003 was reconsidered.

### SENATE BILL NO. 138— BY SENATOR DARDENNE

#### AN ACT

To amend and reenact R.S. 22:2016(A) and to enact R.S. 22:215.24, relative to health insurance; to provide for health insurance coverage for services rendered by registered nurse first assistants; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Heitmeier	Malone
Bajoie	Hines	Marionneaux
Barham	Holden	McPherson
Boissiere	Hollis	Michot
Cain	Hoyt	Mount
Cravins	Irons	Romero
Dardenne	Johnson	Schedler
Dupre	Jones, B	Smith
Ellington	Jones, CD	Tarver
Fontenot	Lambert	Theunissen
Gautreaux	Lentini	
Total—32		

#### NAYS

Chaisson	Dean	Ullo
Total—3		

#### ABSENT

Mr. President	Fields
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Reconsideration

On motion of Senator McPherson, pursuant to the previous notice given, the vote by which the following bill failed to pass on Thursday, April 24, 2003 was reconsidered.

### SENATE BILL NO. 419—

BY SENATORS MCPHERSON, FIELDS AND ROMERO  
AN ACT

To enact R.S. 9:2716, relative to contracts; to provide for the terms for continuation of certain contracts; and to provide for related matters.

On motion of Senator McPherson, the bill was read by title and returned to the Calendar, subject to call.

### Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

### SENATE BILL NO. 687— BY SENATOR ULLO

#### AN ACT

To repeal R.S. 42:1116.1, relative to elected officials; to repeal the requirement of random drug testing of elected officials; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Heitmeier	Lambert
Bajoie	Hines	Lentini
Barham	Holden	Marionneaux
Boissiere	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Irons	Ullo
Ellington	Johnson	
Gautreaux	Jones, CD	
Total—22		

#### NAYS

Mr. President	Dupre	Mount
Cain	Fontenot	Romero
Chaisson	Malone	Schedler
Dean	Michot	
Total—11		

#### ABSENT

Bean	Jones, B	Theunissen
Fields	McPherson	Thomas
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Personal Privilege

Senator Smith asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 687. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

### SENATE BILL NO. 689— BY SENATOR ULLO

#### AN ACT

To enact R.S. 49:191(13) and to repeal R.S. 49:191(12)(g), relative to the Department of Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

### Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Engrossed Senate Bill No. 689 by Senator Ullo

### AMENDMENT NO. 1

On page 1, line 2, and on page 2, line 7, change "R.S. 49:191(13)" to "R.S. 49:191(14)"

**AMENDMENT NO. 2**

On page, 2, line 18, change "**(13)**" to "**(14)**"

On motion of Senator Ullo, the amendments were adopted.

The bill was read by title. Senator Ullo moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Ullo
Total—33		

**NAYS**

Hoyt	Michot
Total—2	

**ABSENT**

Bean	Jones, B
Fields	Thomas
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 690—**  
BY SENATOR ULLO

**AN ACT**

To enact R.S. 49:191(13) and to repeal R.S. 49:191(12)(f), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Ullo sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ullo to Engrossed Senate Bill No. 690 by Senator Ullo

**AMENDMENT NO. 1**

On page 1, line 2, and on page 2, line 7, change "R.S. 49:191(13)" to "R.S. 49:191(14)"

**AMENDMENT NO. 2**

On page, 2, line 18, change "**(13)**" to "**(14)**"

On motion of Senator Ullo, the amendments were adopted.

The bill was read by title. Senator Ullo moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Bean	Jones, B
Fields	Thomas
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 691—**  
BY SENATORS ULLO AND SCHEDLER  
**AN ACT**

To enact R.S. 37:1737, relative to immunity from liability; to exempt from liability those engaged in certain "Amber Alert" activities; to provide immunity to state and local law enforcement, radio, television and cable operators, the Lottery Corporation and those associations and foundations engaged in the "Amber Alert" effort; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, CD	Theunissen
Dean	Lambert	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—34		

**NAYS**

Total—0

**ABSENT**

Bean  
Fields  
Total—5

Irons  
Jones, B

Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 694— BY SENATOR ULLO

AN ACT

To enact R.S. 18:1483(7)(f), relative to candidates for school board and parish council; to provide that candidates for school board and parish council be designated as district offices in a parish with a population less than four hundred fifty thousand and greater than four hundred thousand; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		

#### NAYS

Total—0

#### ABSENT

Bean  
Fields  
Total—4

Jones, B  
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 696— BY SENATOR ULLO

AN ACT

To enact R.S. 18:1483(7)(f), relative to the office of marshals; to provide that regardless of the population of the district all marshals for city courts, for purposes of campaign finance laws, be defined as district offices; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fontenot	Marionneaux
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Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, CD	Theunissen
Dean	Lambert	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—34		

#### NAYS

Total—0

#### ABSENT

Bean Fields Total—5	Johnson Jones, B	Thomas
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The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 699— BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 14:79(A)(1), relative to protective orders in domestic violence cases; to authorize any law enforcement officer to serve a certified copy of a restraining order on a named defendant; to provide that such service noted in a police report may be used in any civil or criminal proceeding; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 699 by Senator Ullo

#### AMENDMENT NO. 1

On page 1, between lines 9 and 10, insert "§79. Violation of protective orders"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Ullo moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Ullo
Ellington	Lentini	

Total—35

NAYS

Total—0

ABSENT

Bean  
FieldsJones, B  
Thomas

Total—4

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 718—**BY SENATORS HOLLIS AND HEITMEIER  
AN ACT

To amend and reenact R.S. 6:217(B) and (C), 232(C), 352.1(H)(4), 361(B)(2), 364.1(B), 365.1(A)(4), 366(E), 367(B)(7), 706(D), (E), and (F), 721(C)(4), (D), and (F), 862, 863(B), 868(E), 938(C), 1273(C), and 1284(5), relative to financial institution filing requirements; to eliminate document filing requirements with the secretary of state; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lambert sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 718 by Senator Hollis

**AMENDMENT NO. 1**

On page 2, between lines 19 and 20, insert asterisks " \* \* \* "

**AMENDMENT NO. 2**

On page 6, line 6, following "begin" insert a comma ","

**AMENDMENT NO. 3**

On page 6, line 16, following "incorporation" insert a comma ","

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Hollis moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President

Adley

Bajoie

Barham

Boissiere

Cain

Chaisson

Cravins

Dardenne

Dean

Dupre

Total—33

Ellington

Fontenot

Gautreaux

Heitmeier

Hines

Holden

Hoyt

Irons

Johnson

Jones, CD

Lambert

NAYS

Lentini

Malone

McPherson

Michot

Mount

Romero

Schedler

Smith

Tarver

Theunissen

Ullo

ABSENT

Bean  
Fields

Total—5

Jones, B

Marionneaux

Thomas

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Personal Privilege**

Senator Hollis asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 718. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

**Senator Ellington in the Chair****SENATE BILL NO. 739—**

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 9:2793.3, relative to limitation of liability; to provide for a limitation of liability for physicians rendering certain gratuitous emergency services; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 746—**

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 24:513(A)(2) and (I)(1)(a) and R.S. 38:322, all relative to audit reports of state agencies, departments, boards and commissions included in the Comprehensive Annual Financial Report; to prescribe the audit requirements of certain state entities; to provide an effective date; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley

Bajoie

Barham

Boissiere

Cain

Chaisson

Cravins

Dardenne

Dean

Dupre

Ellington

Fontenot

Total—35

Gautreaux

Heitmeier

Hines

Holden

Hollis

Hoyt

Irons

Johnson

Jones, B

Jones, CD

Lambert

Lentini

NAYS

Total—0

ABSENT

Mr. President

Bean

Total—4

Fields

Thomas

# Page 28 SENATE

April 28, 2003

## 13th DAY'S PROCEEDINGS

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 748—

BY SENATOR HAINKEL

#### AN ACT

To amend and reenact R.S. 40:2010.8(D)(1) and 2010.9(A) and (B) and to enact R.S. 40:2010.9(C), relative to nursing homes and health care facilities; to provide for a resident's personal right of action; to provide that a resident may assert a cause of action for injunctive relief; to provide that attorney fees cannot be recovered in a tort or contract action; to provide for a prescription period to bring such actions; to provide a peremptive period; and to provide for related matters.

The bill was read by title. Senator Hainkel moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Ullo
Total—33		

#### NAYS

Holden	Jones, B	Marionneaux
Total—3		

#### ABSENT

Bean	Fields	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 750—

BY SENATORS LENTINI AND SCHEDLER

#### AN ACT

To enact R.S. 46:1078, relative to hospital service districts; to permit hospital service districts to employ, appoint, hire, or contract with persons that will negotiate rates, payment terms and other provisions of agreements with health insurance organizations and share payment, rate information and other information for and on behalf of hospital service districts singly or as a group; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Heitmeier	Marionneaux
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Bajoie	Hines	McPherson
Barham	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Fontenot	Lentini	
Gautreaux	Malone	
Total—34		

#### NAYS

Dean
Total—1

#### ABSENT

Mr. President	Fields
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 758—

BY SENATOR CRAVINS

#### AN ACT

To enact R.S. 14:35.3 and 143(C)(18), relative to offenses against the person; to create the crime of domestic abuse battery; to provide for definitions; to provide for criminal penalties; to provide for additional penalties when a minor child twelve years or younger is present during the commission of a domestic abuse battery; to provide relative to the inclusion of convictions under other laws in determinations of the existence of prior convictions; and to provide for related matters.

On motion of Senator Cravins, the bill was read by title and returned to the Calendar, subject to call.

### SENATE BILL NO. 797—

BY SENATORS BAJOIE, BARHAM, DEAN, ELLINGTON, FIELDS, MICHOT, ROMERO, SCHEDLER AND SMITH

#### AN ACT

To enact Children's Code Art. 603.1, relative to abuse of children; to provide for mandatory reporters; to provide for certain educational requirements for teacher certification; and to provide for related matters.

The bill was read by title. Senator Bajoie moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Ullo
Ellington	Lentini	
Fontenot	Malone	

Total—34

NAYS

Total—0

ABSENT

Mr. President  
BeanFields  
Jones, B

Thomas

Total—5

The Chair declared the bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 798—**

BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 37:1358(B), relative to acupuncturists; to revise certain employment and supervision requirements for acupuncturist's assistants; and to provide for related matters.

The bill was read by title. Senator Bajoie moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dean  
Dupre  
Ellington  
Fields  
Total—36

Fontenot  
Gautreaux  
Heitmeier  
Hines  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert

Lentini  
Malone  
Marionneaux  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Total—3

Bean

Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 968—**

BY SENATOR B. JONES

AN ACT

To enact R.S. 46:153(H), relative to Medicaid assistance and estate recovery; to provide for retention of the Department of Health and Hospitals assignment of rights; and to provide for related matters.

The bill was read by title. Senator B. Jones moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dean  
Dupre  
Ellington  
Fields  
Total—36

Fontenot  
Gautreaux  
Heitmeier  
Hines  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert

Lentini  
Malone  
Marionneaux  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Total—3

Bean

Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator B. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 995—**

BY SENATOR CRAVINS

AN ACT

To amend and reenact Code of Criminal Procedure Art. 900(A)(5) relative to probation; to provide for revocation of probation; to provide for service of suspended sentence; to limit such incarceration for certain violations; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lambert sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 995 by Senator Cravins

**AMENDMENT NO. 1**

On page 2, line 6, change "Subparagraph" to "Item"

On motion of Senator Lambert, the amendments were adopted.

**Mr. President in the Chair****Floor Amendments Sent Up**

Senator C. Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senators Cravins and C. Jones to Engrossed Senate Bill No. 995 by Senator Cravins

**AMENDMENT NO. 1**

On page 1, line 2, after "Art. 900(A)(5)" insert the following "and to enact R.S. 15:574.9(B)(3) and (4);"

### AMENDMENT NO. 2

On page 1, at the beginning of line 3, after "probation" insert "and parole"

### AMENDMENT NO. 3

On page 1, line 3, after "revocation of probation" and before the semicolon ";," insert "and parole"

### AMENDMENT NO. 4

On page 2, after line 19, insert the following:

"Section 2. R.S. 15:574.9(B)(3) and (4) are hereby enacted to read as follows:

§574.9. Revocation of parole for violation of condition; board panels; return to custody hearing; duration of reimprisonment and repaole after revocation; credit for time served

\* \* \*

B. The board may order revocation of parole upon a determination that:

\* \* \*

### R.S. 15:574.9(B)(3) is all proposed new law.

(3) Notwithstanding the provisions of Paragraphs (1) and (2) of this Subsection, any offender who has been released on parole for the conviction of an offense other than a crime of violence as defined in R.S. 14:2(13) or of a sex offense as defined in R.S. 15:541(14.1) and who has had his parole revoked under the provisions of this Article for a technical violation of the conditions of parole as determined by the Board of Parole shall not be required to serve a sentence for more than twelve months as a result of such revocation.

### R.S. 15:574.9(B)(4) is all proposed new law.

(4) A "technical violation" as used in this Subsection means any violation other than being arrested, charged, or convicted of another crime, possession of a firearm or any other prohibited weapon, or failure to appear at any court hearing.

\* \* \*

Senator C. Jones moved adoption of the amendments.

Senator Lentini objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Bajoie	Fields	Marionneaux
Boissiere	Holden	Tarver
Cain	Johnson	
Cravins	Jones, CD	
Total—10		

#### NAYS

Adley	Gautreaux	Michot
Barham	Heitmeier	Mount
Dardenne	Hines	Romero
Dean	Hollis	Schedler
Dupre	Jones, B	Smith
Ellington	Lentini	Theunissen
Fontenot	Malone	Ullo
Total—21		

#### ABSENT

Mr. President	Hoyt	McPherson
Bean	Irons	Thomas
Chaisson	Lambert	
Total—8		

The Chair declared the amendments were rejected.

The bill was read by title. Senator Cravins moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Bajoie	Fields	Johnson
Boissiere	Gautreaux	Jones, CD
Cravins	Holden	McPherson
Dupre	Irons	Theunissen
Total—12		

#### NAYS

Adley	Fontenot	Marionneaux
Barham	Heitmeier	Michot
Cain	Hines	Romero
Chaisson	Hollis	Schedler
Dardenne	Jones, B	Smith
Dean	Lentini	Ullo
Ellington	Malone	
Total—20		

#### ABSENT

Mr. President	Lambert	Thomas
Bean	Mount	
Hoyt	Tarver	
Total—7		

The Chair declared the amended bill failed to pass.

### Notice of Reconsideration

Senator Cravins, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

### SENATE BILL NO. 1009—

BY SENATOR MCPHERSON

#### AN ACT

To amend and reenact R.S. 13:2095.2(A), and to enact Code of Criminal Procedure Art. 887(I), relative to the marshal of the city court of Pineville; to provide for the collection of fees in all criminal and traffic matters; to authorize the marshal to collect an additional fee from convicted persons as reimbursement for costs expended in executing warrants; and to provide for related matters.

On motion of Senator McPherson, the bill was read by title and returned to the Calendar, subject to call.

### SENATE BILL NO. 1016—

BY SENATOR DUPRE AND REPRESENTATIVES DARTEZ AND DOWNER

#### AN ACT

To enact R.S. 13:1910.1, relative to city court judicial building funds; to authorize a service charge to be collected by the City Court of Houma and the Terrebonne Parish Consolidated Government; to provide for exclusive dedication of all monies collected; and to provide for related matters.

### Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 1016 by Senator Dupre

**AMENDMENT NO. 1**

On page 2, at the beginning of line 9, add "any"

On motion of Senator Dupre, the amendments were adopted.

The bill was read by title. Senator Dupre moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Boissiere	Hines	Michot
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dupre	Johnson	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Fontenot	Lentini	
Total—29		

**NAYS**

Mr. President	Dardenne	Irons
Barham	Dean	Jones, B
Total—6		

**ABSENT**

Bean	Mount
McPherson	Thomas
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 1028 — (Substitute for Senate Bill 321 by Senator Lentini)**  
BY SENATOR LENTINI

**AN ACT**

To enact R.S. 33:2218.2(C)(8)(d), relative to law enforcement officers; to provide relative to supplemental pay for such persons; to provide for eligibility of certain elected police chiefs to receive such compensation; to provide for an effective date for the initiation of such compensation; and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 47—**

BY SENATORS MCPHERSON, MOUNT, ADLEY, BAJOE, BARHAM, BOISSIERE, CAIN, CHAISSON, CRAVINS, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, B. JONES, C. JONES, LAMBERT, LENTINI, MARIONNEAUX, MICHOT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN AND THOMAS

**A JOINT RESOLUTION**

Proposing to add Article I, Section 27 of the Constitution of Louisiana, relative to the declaration of rights; to preserve the freedom to hunt, fish and trap, subject to regulation, restriction, or prohibition imposed pursuant to law; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

**Floor Amendments Sent Up**

Senator McPherson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 47 by Senator McPherson

**AMENDMENT NO. 1**

On page 1, delete lines 14 and 15 in their entirety and insert the following:

"Section 27. The freedom to hunt, fish, and trap wildlife, including all aquatic life, traditionally taken by hunters, trappers and anglers, is a valued natural heritage that shall be forever preserved for the people. Hunting, fishing and trapping shall be managed by law and regulation consistent with Article IX, Section 1 of the Constitution of Louisiana to protect, conserve and replenish the natural resources of the state."

**AMENDMENT NO. 2**

On page 2, delete line 1 in its entirety and on line 2 delete "law."

On motion of Senator McPherson, the amendments were adopted.

The bill was read by title. Senator McPherson moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Bean	Thomas
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 64—**

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND

**AN ACT**

To amend and reenact R.S. 9:5701, relative to prescription; to provide a ten-year prescriptive period for educational debts owed to certain institutions of higher education; and to provide for related matters.

## Floor Amendments Sent Up

Senator Smith sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed Senate Bill No. 64 by Senator Smith

#### AMENDMENT NO. 1

On page 1, line 10, after "debts" insert "including student loans, stipends or benefits"

#### AMENDMENT NO. 2

On page 2, line 2, after "debts" insert ", other than student loans, stipends, or benefits, "

On motion of Senator Smith, the amendments were adopted.

The bill was read by title. Senator Smith moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Gautreaux	Lentini
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fontenot	Lambert	Ullo
Total—33		

#### NAYS

Mr. President	Fields
Dardenne	Malone
Total—4	

#### ABSENT

Bean	Thomas
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### SENATE BILL NO. 76—

BY SENATOR ELLINGTON

#### AN ACT

To enact R.S. 33:1448(K), relative to public officers; to provide with respect to sheriffs; to provide for group insurance for sheriffs and deputy sheriffs; to require the sheriff of LaSalle Parish to pay certain premium costs of specified group insurance for certain retired employees; to provide limitations; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Mr. President	Bean	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### SENATE BILL NO. 155—

BY SENATOR SCHEDLER

#### AN ACT

To amend and reenact R.S. 17:421.8(B), relative to school counselors; to provide relative to salary supplements for school counselors who hold a National Certified School Counselor credential issued by the National Board for Certified Counselors; to provide for verification; to require submission of certain documentation to the Department of Education by a certain date; to provide relative to the payment of the initial supplement; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Bean	Ellington	Thomas
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Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 260—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 33:130.202(A)(3),(4),(5),(6), and (7), and (G), and 130.210(A)(1) and to repeal R.S. 33:130.202(A)(8), 130.210(A)(3), and 130.211, relative to parish development boards; to provide for revisions to the LaSalle Economic Development District; to provide for changes among the district's commissioners; to establish a quorum, to remove restrictions upon the district's authority; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—34		

NAYS

Dean  
Total—1

ABSENT

Mr. President	Jones, B
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 270—**  
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 23:1127(C)(3), relative to workers' compensation; to provide with respect to medical examinations; to provide for release of medical information to an employee; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Fields sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Fields to Engrossed Senate Bill No. 270 by Senator Fields

AMENDMENT NO. 1

On page 2, line 16, after "representative." delete the remainder of the line and delete lines 17 and 18

Senator Fields moved adoption of the amendments.

Senator Adley objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Fields	Lambert
Boissiere	Holden	Marionneaux
Cain	Irons	Tarver
Chaisson	Johnson	
Cravins	Jones, CD	
Total—13		

NAYS

Mr. President	Gautreaux	Michot
Adley	Heitmeier	Mount
Barham	Hines	Romero
Dardenne	Hollis	Schedler
Dean	Hoyt	Smith
Dupre	Jones, B	Theunissen
Ellington	Lentini	Ullo
Fontenot	Malone	
Total—23		

ABSENT

Bean	McPherson	Thomas
Total—3		

The Chair declared the amendments were rejected.

The bill was read by title. Senator Fields moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Total—35		

NAYS

Malone  
Total—1

ABSENT

Mr. President	Bean	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 346—

BY SENATORS DARDENNE, SCHEDLER AND CAIN  
AN ACT

To amend and reenact R.S. 15:603(8), (9), (10), and (11), and 609(A), (B), and (C) and the Code of Criminal Procedure Art. 572 and to enact R.S. 15:603(12) and (13) and 609(F), (G), (H), and (I), relative to DNA detection of sexual and violent offenders; to provide relative to the collection of DNA samples from certain offenders; to provide for definitions; to add certain offenses to crimes requiring the collection of such samples; to provide relative to juvenile offenders; to require DNA samples collection of such offenders under certain conditions; to require DNA sample collection after interstate transfer of offenders under certain conditions; to prohibit the invalidation of a database match under certain circumstances; to provide relative to the limitation of the prosecution of noncapital offenses; to provide for exceptions to such limitations; to require retroactivity of such exceptions; to authorize the use of force under certain circumstances; and to provide for related matters.

### Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Reengrossed Senate Bill No. 346 by Senator Dardenne

#### AMENDMENT NO. 1

On page 1, line 3, following "(C) and" and before "Code" delete "the"

#### AMENDMENT NO. 2

On page 6, line 7, following "Criminal" and before "Art." change "Procedures" to "Procedure"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Mr. President	Bean	Thomas
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Total—3

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 463—

BY SENATOR MCPHERSON

AN ACT

To authorize and provide for the transfer of certain state property, together with all buildings and improvements thereon, located in Rapides Parish, to the Department of Culture, Recreation and Tourism; to require completion of certain conditions prior to transfer; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

#### NAYS

Total—0

#### ABSENT

Bean	Thomas
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### SENATE BILL NO. 518—

BY SENATOR C. JONES

AN ACT

To enact R.S. 15:827.1, relative to criminal procedure; to create the reentry preparation program within the Department of Public Safety and Corrections; to require certain personnel at state correctional facilities; to provide for duties of such personnel; to require participation of certain offenders in the reentry preparation program; to require certain instruction areas in such program; to authorize the assistance of public or private organizations for the delivery of such program; to provide relative to distance instruction; to require the promulgation of rules and guidelines; and to provide for related matters.

The bill was read by title. Senator C. Jones moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Mr. President	Bean	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator C. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

Senator Heitmeier asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

**Introduction of Senate Bills and Joint Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

**SENATE BILL NO. 1049—**  
BY SENATOR HEITMEIER**AN ACT**

To amend and reenact the introductory paragraph of R.S. 47:820.5(B)(2)(b), relative to the Crescent City Connection; to provide relative to the use of certain revenues; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**SENATE BILL NO. 1050—**  
BY SENATOR ADLEY**AN ACT**

To enact R.S. 11:1751(E), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to membership; to provide that retired persons over the age of sixty-five shall not be required to participate in the retirement system; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

**SENATE BILL NO. 1051—**  
BY SENATOR ADLEY**AN ACT**

To amend and reenact R.S. 27:93(A)(2)(introductory paragraph) and (a), (7)(e), and (8), to enact R.S. 27:93(A)(9), and to repeal R.S. 27:93(A)(2)(e), (f), and (i), relative to the Louisiana Riverboat Control Law; to provide with respect to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide for admission fees for riverboats; to provide for allocation of funds derived from riverboat boarding fees on certain riverboats in Bossier Parish; to provide for the levying of boarding fees in Bossier Parish in certain cases; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

**SENATE BILL NO. 1052—**  
BY SENATOR HINES**AN ACT**

To enact R.S. 9:2713.1 and to amend and reenact R.S. 40:32(1), R.S. 40:34(B)(1)(a)(viii), (h)(v), (i) and (j), relative to gestational surrogacy contracts; to provide for the definition of gestational surrogacy contracts; to provide for the conditions for the enforceability of gestational surrogacy contracts; to provide for a definition of genetic parents; to provide for information to be included on vital records forms; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Health and Welfare.

**SENATE BILL NO. 1053—**  
BY SENATOR C. JONES**AN ACT**

To amend and reenact R.S. 23:1514(A)(1), relative to workforce development; to provide with respect to employment security administration fund; to provide for funds and accounts; to provide for worker training fund; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

**SENATE BILL NO. 1054—**  
BY SENATOR HOYT**AN ACT**

To enact R.S. 33:423.13, relative to powers of municipal officials; to provide certain powers to the chief of police in cities with a population size between two thousand one hundred eighty-five and two thousand one hundred ninety; to provide that the chief of police shall appoint, promote, discipline and dismiss police personnel; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**SENATE BILL NO. 1055—**  
BY SENATOR HOYT**AN ACT**

To enact 18:1300.24, relative to gaming elections; to authorize Vermilion Parish Police Jury to conduct a referendum election to determine whether to allow video draw poker gaming activity and operation in the parish; to provide for the calling and conducting of the election; to provide for the effectiveness of the results of the election; to provide for applicability; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

**SENATE BILL NO. 1056—**

BY SENATOR HOYT

**AN ACT**

To amend and reenact the introductory paragraph of R.S. 33:130.562(A)(1), and to enact R.S. 33:130.562(A)(1)(d) and (e), relative to the Vermilion Parish Economic Development District; to provide for additional members to the Vermilion Parish Economic Development District board of commissioners; to provide for appointment of members; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**SENATE BILL NO. 1057—**

BY SENATOR LENTINI

**AN ACT**

To enact R.S. 15:262, relative to compulsory process; to provide relative to certain witnesses; to authorize certain law enforcement agencies to provide for the security of such witnesses; to provide for definitions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

**SENATE BILL NO. 1058—**

BY SENATOR SMITH

**AN ACT**

To authorize the Board of Supervisors of Community and Technical Colleges to transfer title to certain property; to authorize certain municipalities to engage in such transfers; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

**SENATE BILL NO. 1059—**

BY SENATOR MCPHERSON

**AN ACT**

To enact Part V-A of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:115, relative to the settlement of claims by the state; to provide for submission to and approval by the legislature of certain claims in which the state has an interest; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

**SENATE BILL NO. 1060—**

BY SENATOR MARIONNEAUX

**AN ACT**

To enact Part II-C of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1559.1 through 1559.3, relative to fire prevention or protection; to provide with respect to certain firemen; to provide with respect to the eligibility for state supplemental pay or extra compensation for fireman employed at the East Louisiana State Hospital; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

**SENATE BILL NO. 1061—**

BY SENATOR MALONE

**AN ACT**

To enact Subpart D of Part III of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:129.1, relative to capital outlay funds; to create the Parish Capital Outlay Fund in the state treasury; to provide for the deposit of monies into the fund; to provide for investment

and uses of monies in the fund; to provide for approval of projects to be funded; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

**SENATE BILL NO. 1062—**

BY SENATOR ULLO

**AN ACT**

To enact R.S. 26:922.1, relative to the sale of tobacco products; to authorize certain cooperative agreements between retailer and manufacturer for the merchandising or promotion of cigarette products; to provide for penalties and to authorize injunctive relief; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

**SENATE BILL NO. 1063—**BY SENATORS CHAISSON, DUPRE, GAUTREAUX, LAMBERT  
MARIONNEAUX AND FONTENOT (BY REQUEST)**AN ACT**

To amend and reenact R.S. 13:312(1)(b) and 312.1, and to repeal R.S. 13:312.2, relative to court of appeal judges; to provide relative to the number of judges authorized for the First Circuit Court of Appeal; to create and provide for an additional division in the first district in the first circuit; to divide the first district of the Court of Appeal for the First Circuit into geographical election sections for the purpose of qualification and election in certain districts; to provide for the election and term of office for such judge; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary A.

**SENATE BILL NO. 1064—**

BY SENATOR MARIONNEAUX

**AN ACT**

To amend and reenact R.S. 13:2488.62(A), (B), (C)(1) and (C)(2), and enact R.S. 13:2488.62(E), relative to the City Court of Plaquemine; to provide for the compensation of judge, marshal, clerk, deputy clerks and public defender of the court; to provide for an increase in court costs for each violation; to authorize the court to assess a fee to be used for substance abuse treatment; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**SENATE BILL NO. 1065—**

BY SENATORS LAMBERT AND BOISSIERE

**AN ACT**

To amend and reenact R.S. 11:416, relative to the Louisiana State Employees' Retirement System; to provide for the employment of retirees by agencies in positions that would otherwise make the employee eligible for membership in the Louisiana State Employees' Retirement System; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

**SENATE BILL NO. 1066—**

BY SENATOR CRAVINS

**AN ACT**

To amend and reenact R.S. 45:1163.1(A)(4), relative to common carrier or public utility rate increases; provides for definitions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**SENATE BILL NO. 1067—**

BY SENATORS DUPRE AND GAUTREAUX  
AN ACT

To enact R.S. 56:303(E), relative to commercial fishermen; to provide for endorsement of a commercial fisherman's license as certified; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

**SENATE BILL NO. 1068—**

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 22:1254 and 1255(A), relative to insurers; to authorize the use of courts by unauthorized insurers; to provide for approval; to provide for bonds; to provide for exemption; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

**SENATE BILL NO. 1069—**

BY SENATOR HAINKEL

AN ACT

To enact R.S. 41:1702(B)(4), (5) and (6), relative to public lands; to provide for boundary agreements involving certain lands lost through erosion, compaction, subsidence, or sea level rise and reclaimed prior to July 1, 1921; to provide that certain lands reclaimed by a drainage district be deemed reclaimed for the benefit of the landowner in possession immediately prior to the land loss; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

**SENATE BILL NO. 1070—**

BY SENATOR HOLLIS

AN ACT

To enact Part III of Chapter 4 of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:350 through 359, relative to Louisiana state and statewide retirement systems; to provide with respect to benefits; to establish the benefits trust fund as an alternative fund for the payment of benefits; to authorize the establishment of benefit payment trust funds from bond proceeds; to provide for investment of proceeds deposited to the credit of the benefit payment fund; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

### Introduction of Senate Concurrent Resolutions

The following Senate Concurrent Resolutions, were introduced and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 58—**

BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To create a special legislative committee to study the effects of mercury in seafood.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

**SENATE CONCURRENT RESOLUTION NO. 59—**

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend and congratulate Richard Lipsey and Haspel Brothers on their seersucker suit product being designated by the *Wall Street Journal* as the "best overall, best value".

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Total—32		

**NAYS**

Total—0

**ABSENT**

Bean	Hines	Thomas
Chaisson	Marionneaux	
Fontenot	McPherson	
Total—7		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 60—**

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend Senator Don Hines on being honored by the American Heart Association as the recipient of the Louisiana Advocate of the Year Award and the Southeast Affiliates Advocate of the Year Award.

The resolution was read by title; lies over under the rules.

**SENATE CONCURRENT RESOLUTION NO. 61—**

BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To continue the Louisiana Small Business Task Force created by Senate Concurrent Resolution No. 27 of the First Extraordinary Session of 2002.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

April 28, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 749—**

BY REPRESENTATIVES CAZAYOUX, ARNOLD, BAUDOIN, BEARD, DOWNS, FANNIN, FRITH, HILL, ODINET, SCHNEIDER, AND JACK SMITH

AN ACT

To amend and reenact R.S. 56:643(B)(2), relative to hunting and fishing licenses; to provide that members of the Louisiana National Guard are eligible for a resident active military license; and to provide for related matters.

**HOUSE BILL NO. 750—**

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 17:239, to prohibit the use or operation of any electronic telecommunication device by a student in any public elementary and secondary school or on the grounds thereof or in any school bus used to transport public school students; to provide exceptions; to provide relative to penalties; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1773—**

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:1312(D), relative to judicial expense funds; to provide relative to funds of any civil district court and city courts located in a parish with a population of greater than four hundred seventy thousand; to authorize the judges en banc to utilize the funds for a separate juvenile facility; to delete prohibition against raising additional fees; to delete requirement that additional funds be derived from other noncourt cost-related sources; to delete the requirement that the Joint Legislative Committee on the Budget approve the plans and cost; and to provide for related matters.

**HOUSE BILL NO. 1774—**

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 33:1448(G), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of any parish with a population of between one hundred thousand and one hundred two thousand to pay certain premium costs of specified group insurance for certain retired officials and employees; to provide limitations; and to provide for related matters.

**HOUSE BILL NO. 1747—**

BY REPRESENTATIVES BROOME, M. JACKSON, AND WELCH

AN ACT

To enact R.S. 33:1236(21)(h), relative to the cutting of grass and obnoxious weeds in the parish of East Baton Rouge; to require the governing authority of the parish to provide additional notice to property owners who fail to cut such grass and weeds; and to provide for related matters.

**HOUSE BILL NO. 1789 (Substitute for House Bill No. 465 by Representative Martiny)—**

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 27:301(B)(16) and 311.1 through 311.6, relative to the Video Draw Poker Devices Control Law; to provide for the issuance of video draw poker employee permits; to provide for definitions; to require a video draw poker employee permit to work as a video draw poker employee; to provide definitions; to provide for classes of permits; to provide for suitability determinations; to provide for the term of a video draw poker employee permit; and to provide for related matters.

**HOUSE BILL NO. 1790 (Substitute for House Bill No. 1117 by Representative Downer)—**

BY REPRESENTATIVE DOWNER

AN ACT

To enact R.S. 40:1401, relative to the Department of Public Safety and Corrections, office of state police; to provide for rights of employees, officers, and agents of the office while under investigation; and to provide for related matters.

**HOUSE BILL NO. 24—**

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 41:1212(B)(1), relative to lease of school board land; to exempt the West Baton Rouge Parish School Board from advertisement and bid requirements when leasing sixteenth section school board land for agricultural purposes; and to provide for related matters.

**HOUSE BILL NO. 98—**

BY REPRESENTATIVES JOHN SMITH, DOWNER, McDONALD, ALEXANDER, CROWE, CURTIS, HONEY, HUDSON, KENNARD, NEVERS, POWELL, JANE SMITH, SWILLING, AND THOMPSON AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii) and to enact R.S. 17:3048.1(C)(2)(c)(v), relative to Tuition Opportunity Program for Students eligibility requirements applicable to children of certain military personnel and to students ordered to active duty in the United States armed forces or National Guard; to provide for the time period in which a nonresident on active duty with the United States armed forces who is stationed in Louisiana under permanent change of station orders must change his military records to establish Louisiana as his official home of record in order for a dependent child to be eligible for a Tuition Opportunity Program for Students award; to require the administering agency of the Tuition Opportunity Program for Students to provide by rule for a waiver procedure for certain program continuing eligibility requirements under specified circumstances and in accordance with certain conditions; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 111—**

BY REPRESENTATIVE GUILLORY

AN ACT

To enact R.S. 14:72.3, relative to identification of an alleged offender; to provide that a victim of a crime involving theft of identity or personal information can obtain the identity of an alleged offender who is arrested for certain crimes; and to provide for related matters.

**HOUSE BILL NO. 115—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact Code of Criminal Procedure Article 871(B)(1)(a) and (2)(introductory paragraph), relative to criminal records; to provide that the sheriff shall attach, rather than affix, the fingerprints of each defendant convicted of a felony or of certain misdemeanors to the bill of indictment or information which resulted in the conviction; and to provide for related matters.

**HOUSE BILL NO. 156—**

BY REPRESENTATIVE CAZAYOUX  
AN ACT

To amend and reenact R.S. 15:501(B)(1), relative to evidence from criminalistics laboratories; to provide for the cross-examination of persons who performed an examination or analysis of evidence at a criminalistics laboratory; to provide for the use of certificates of analysis and to provide when such certificates shall not constitute prima facie proof of its contents or proper custody; and to provide for related matters.

**HOUSE BILL NO. 116—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 40:2616(A)(2), relative to the allocation of forfeited property; to delete the requirement that motor vehicles seized by law enforcement agencies and used in the course and scope of undercover surveillance and investigation of violations of the Uniform Controlled Dangerous Substances Law be sold after six months; and to provide for related matters.

**HOUSE BILL NO. 456—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 17:3141.2(5)(introductory paragraph), relative to the definition of proprietary school; to provide that the definition of proprietary school includes schools which operate over the internet and which meet the other elements of that definition; and to provide for related matters.

**HOUSE BILL NO. 506—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 44:36(D), relative to the preservation of certain records accumulated by the Department of Public Safety and Corrections, Corrections Services; to reduce the length of time records pertaining to adult offenders must be kept and not destroyed by the Department of Public Safety and Corrections, Corrections Services; and to provide for related matters.

**HOUSE BILL NO. 552—**

BY REPRESENTATIVES BALDONE AND PIERRE  
AN ACT

To amend and reenact R.S. 56:30.1 and 641.1(A), relative to commercial fishing licenses; to authorize the issuance of such licenses by electronic means; and to provide for related matters.

**HOUSE BILL NO. 640—**

BY REPRESENTATIVE WINSTON  
AN ACT

To amend and reenact R.S. 56:1851(C), relative to the Natural and Scenic Rivers Act; to provide penalties for violations of that Act for which penalties are not specified; and to provide for related matters.

**HOUSE BILL NO. 695—**

BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, CAPELLA, DAMICO, GREEN, LANCASTER, AND TOOMY  
AN ACT

To amend and reenact R.S. 44:11(C) and to enact R.S. 44:11(A)(4), relative to public records; to provide that certain information in the personnel records of public employees is confidential under certain circumstances; to authorize disclosure of such information under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 236—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 36:609(B)(4), relative to the responsibilities of the office of wildlife, Department of Wildlife and Fisheries; to provide that the firearm and hunter education programs shall be

administered by the office of wildlife; and to provide for related matters.

**HOUSE BILL NO. 848—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact Code of Evidence Article 801(D)(1)(a), relative to hearsay; to provide relative to the exception for prior inconsistent statements; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions  
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE BILL NO. 24—**

BY REPRESENTATIVE CAZAYOUX  
AN ACT

To amend and reenact R.S. 41:1212(B)(1), relative to lease of school board land; to exempt the West Baton Rouge Parish School Board from advertisement and bid requirements when leasing sixteenth section school board land for agricultural purposes; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 98—**

BY REPRESENTATIVES JOHN SMITH, DOWNER, MCDONALD, ALEXANDER, CROWE, CURTIS, HONEY, HUDSON, KENNARD, NEVERS, POWELL, JANE SMITH, SWILLING, AND THOMPSON AND SENATOR THEUNISSEN  
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(iii) and to enact R.S. 17:3048.1(C)(2)(c)(v), relative to Tuition Opportunity Program for Students eligibility requirements applicable to children of certain military personnel and to students ordered to active duty in the United States armed forces or National Guard; to provide for the time period in which a nonresident on active duty with the United States armed forces who is stationed in Louisiana under permanent change of station orders must change his military records to establish Louisiana as his official home of record in order for a dependent child to be eligible for a Tuition Opportunity Program for Students award; to require the administering agency of the Tuition Opportunity Program for Students to provide by rule for a waiver procedure for certain program continuing eligibility requirements under specified circumstances and in accordance with certain conditions; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 111—**

BY REPRESENTATIVE GUILLORY  
AN ACT

To enact R.S. 14:72.3, relative to identification of an alleged offender; to provide that a victim of a crime involving theft of identity or personal information can obtain the identity of an alleged offender who is arrested for certain crimes; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 115—**BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact Code of Criminal Procedure Article 871(B)(1)(a) and (2)(introductory paragraph), relative to criminal records; to provide that the sheriff shall attach, rather than affix, the fingerprints of each defendant convicted of a felony or of certain misdemeanors to the bill of indictment or information which resulted in the conviction; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 116—**BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 40:2616(A)(2), relative to the allocation of forfeited property; to delete the requirement that motor vehicles seized by law enforcement agencies and used in the course and scope of undercover surveillance and investigation of violations of the Uniform Controlled Dangerous Substances Law be sold after six months; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 156—**BY REPRESENTATIVE CAZAYOUX  
AN ACT

To amend and reenact R.S. 15:501(B)(1), relative to evidence from criminalistics laboratories; to provide for the cross-examination of persons who performed an examination or analysis of evidence at a criminalistics laboratory; to provide for the use of certificates of analysis and to provide when such certificates shall not constitute prima facie proof of its contents or proper custody; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 236—**BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 36:609(B)(4), relative to the responsibilities of the office of wildlife, Department of Wildlife and Fisheries; to provide that the firearm and hunter education programs shall be administered by the office of wildlife; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 456—**BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 17:3141.2(5)(introductory paragraph), relative to the definition of proprietary school; to provide that the definition of proprietary school includes schools which operate over the internet and which meet the other elements of that definition; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 506—**BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 44:36(D), relative to the preservation of certain records accumulated by the Department of Public Safety and Corrections, Corrections Services; to reduce the length of time records pertaining to adult offenders must be kept and not destroyed by the Department of Public Safety and Corrections, Corrections Services; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 552—**BY REPRESENTATIVES BALDONE AND PIERRE  
AN ACT

To amend and reenact R.S. 56:30.1 and 641.1(A), relative to commercial fishing licenses; to authorize the issuance of such licenses by electronic means; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 640—**BY REPRESENTATIVE WINSTON  
AN ACT

To amend and reenact R.S. 56:1851(C), relative to the Natural and Scenic Rivers Act; to provide penalties for violations of that Act for which penalties are not specified; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 695—**BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, CAPELLA, DAMICO, GREEN, LANCASTER, AND TOOMY  
AN ACT

To amend and reenact R.S. 44:11(C) and to enact R.S. 44:11(A)(4), relative to public records; to provide that certain information in the personnel records of public employees is confidential under certain circumstances; to authorize disclosure of such information under certain circumstances; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 749—**BY REPRESENTATIVES CAZAYOUX, ARNOLD, BAUDOUIN, BEARD, DOWNS, FANNIN, FRITH, HILL, ODINET, SCHNEIDER, AND JACK SMITH  
AN ACT

To amend and reenact R.S. 56:643(B)(2), relative to hunting and fishing licenses; to provide that members of the Louisiana National Guard are eligible for a resident active military license; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 750—**BY REPRESENTATIVE CAZAYOUX  
AN ACT

To amend and reenact R.S. 17:239, to prohibit the use or operation of any electronic telecommunication device by a student in any public elementary and secondary school or on the grounds thereof or in any school bus used to transport public school students; to provide exceptions; to provide relative to penalties; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 848—**BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact Code of Evidence Article 801(D)(1)(a), relative to hearsay; to provide relative to the exception for prior inconsistent statements; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1747—**BY REPRESENTATIVES BROOME, M. JACKSON, AND WELCH  
AN ACT

To enact R.S. 33:1236(21)(h), relative to the cutting of grass and obnoxious weeds in the parish of East Baton Rouge; to require the governing authority of the parish to provide additional notice

to property owners who fail to cut such grass and weeds; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1773—**

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:1312(D), relative to judicial expense funds; to provide relative to funds of any civil district court and city courts located in a parish with a population of greater than four hundred seventy thousand; to authorize the judges en banc to utilize the funds for a separate juvenile facility; to delete prohibition against raising additional fees; to delete requirement that additional funds be derived from other noncourt cost-related sources; to delete the requirement that the Joint Legislative Committee on the Budget approve the plans and cost; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1774—**

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 33:1448(G), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of any parish with a population of between one hundred thousand and one hundred two thousand to pay certain premium costs of specified group insurance for certain retired officials and employees; to provide limitations; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1789 — (Substitute for House Bill No. 465 by Representative Martiny)**

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 27:301(B)(16) and 311.1 through 311.6, relative to the Video Draw Poker Devices Control Law; to provide for the issuance of video draw poker employee permits; to provide for definitions; to require a video draw poker employee permit to work as a video draw poker employee; to provide definitions; to provide for classes of permits; to provide for suitability determinations; to provide for the term of a video draw poker employee permit; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 1790 — (Substitute for House Bill No. 1117 by Representative Downer)**

BY REPRESENTATIVE DOWNER

AN ACT

To enact R.S. 40:1401, relative to the Department of Public Safety and Corrections, office of state police; to provide for rights of employees, officers, and agents of the office while under investigation; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House****ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 28, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 134—**

BY REPRESENTATIVE JANE SMITH

A CONCURRENT RESOLUTION

To recognize First Baptist Church of Bossier City as it celebrates its centennial anniversary.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions**

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 134—**

BY REPRESENTATIVE JANE SMITH

A CONCURRENT RESOLUTION

To recognize First Baptist Church of Bossier City as it celebrates its centennial anniversary.

The resolution was read by title. Senator Smith moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Fields	Lentini	
Total—32		

**NAYS**

Total—0

**ABSENT**

Mr. President	Fontenot	Thomas
Bean	Jones, B	
Chaisson	Marionneau	
Total—7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON****REVENUE AND FISCAL AFFAIRS**

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

April 28, 2003

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

**SENATE BILL NO. 591—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 33:9029.2(A)(1), relative to cooperative endeavors involving the state; to require approval of public contracts for such cooperative endeavors by the State Bond Commission prior to execution; and to provide for related matters.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 6—**  
BY REPRESENTATIVES ODINET, DANIEL, FAUCHEUX, HAMMETT, HILL, LANDRIEU, MONTGOMERY, AND TOWNSEND  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to repeal the provisions of the Internal Revenue Code which provide for the taxation of Social Security income.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 39—**  
BY REPRESENTATIVES ODINET, DURAND, GUILLORY, AND WELCH  
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating the provisions of law which reduce or totally eliminate social security benefits for those persons who also receive a state or local government retirement benefit.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 72—**  
BY REPRESENTATIVES MONTGOMERY, BAYLOR, FARRAR, FAUCHEUX, HILL, HUNTER, LANDRIEU, ODINET, AND TOWNSEND  
A CONCURRENT RESOLUTION

To direct the House Committee on Ways and Means to study the impact of the constitutional amendment, commonly referred to as the "Stelly Plan", on individual taxpayers and the state budget.

Reported with amendments.

**HOUSE BILL NO. 829—**  
BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM  
AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(a), relative to the Department of Revenue including provisions; to provide for the re-creation of the Department of Revenue and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 830—**  
BY REPRESENTATIVES HAMMETT, BAYLOR, FARRAR, FAUCHEUX, HILL, HUNTER, LANDRIEU, ODINET, AND TOWNSEND AND SENATOR BARHAM  
AN ACT

To enact R.S. 47:1607, relative to refunds issued to a taxpayer in error; to require the secretary to remove or reduce interest on

certain refunds issued to a taxpayer in error; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 893—**  
BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM  
AN ACT

To amend and reenact R.S. 47:1511, relative to the authority of the secretary of the Department of Revenue to promulgate rules and regulations; to require compliance with the Administrative Procedure Act; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1036—**  
BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM  
AN ACT

To amend and reenact R.S. 47:1519(B), relative to the payment of taxes by electronic funds transfer; to authorize the secretary of the Department of Revenue to require electronic funds transfer for certain taxpayers; to provide for a date of delivery; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1066—**  
BY REPRESENTATIVES HAMMETT AND HUNTER AND SENATOR BARHAM  
AN ACT

To amend and reenact R.S. 47:306(A)(1)(b) and (3)(a) and (B)(4), relative to the state sales and use tax; to change the filing requirements; to provide with respect to dealer compensation; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1750—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To enact R.S. 47:301(10)(w), (13)(j), and (18)(j), relative to local sales and use taxes; to provide for definitions relative to the taxation of the sale of other disposition of certain tangible personal property by a dealer in connection with the sale or use of mobile telecommunications services; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ROBERT J. BARHAM  
Chairman

**REPORT OF COMMITTEE ON  
FINANCE**

Senator Dardenne, Chairman on behalf of the Committee on Finance, submitted the following report:

April 28, 2003

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

**SENATE BILL NO. 42—**

BY SENATOR MCPHERSON

## AN ACT

To amend and reenact R.S. 38:2212(C)(2), relative to public work; to require public entities to transmit addendum to bids for contracts for such work exceeding the contract limit by means other than mail; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 84—**

BY SENATOR THEUNISSEN

## AN ACT

To amend and reenact R.S. 48:1002(A), relative to ferries; to provide for the period of appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 997—**

BY SENATOR SCHEDLER

## AN ACT

To amend and reenact R.S. 39:11(A) and R.S. 39:127(B) and (C), relative to the allocation, reallocation, and transfer of state owned buildings and premises leased by the state; to provide with regard to the authority of the commissioner of administration and the division of administration; to provide for prior approval by the Joint Legislative Committee on the Budget; to provide for applicability and for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
JAY DARDENNE  
Chairman

**Rules Suspended**

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 371 from the Committee on Health and Welfare.

**SENATE BILL NO. 371—**

BY SENATOR SCHEDLER

## AN ACT

To amend and reenact R.S. 37:3003(B)(1) relative to the State Board of Medical Examiners and occupational therapists; to provide for direct access to the services of occupational therapists; to eliminate the necessity for a referral to occupational therapy services; to increase the categories of medical professionals who can refer to occupational therapists; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and withdrawn from the files of the Senate.

**Rules Suspended**

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 630 from the Committee on Health and Welfare.

**SENATE BILL NO. 630—**

BY SENATOR SCHEDLER

## AN ACT

To amend and reenact R.S. 17:170(A), relative to immunization of persons entering schools, kindergartens, colleges, proprietary or vocational schools and day care centers for the first time; to provide for Hepatitis A and B vaccinations for those entering universities in Louisiana; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and withdrawn from the files of the Senate.

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 28, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 46—**

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND

## A CONCURRENT RESOLUTION

To commend and congratulate Alexander Billioux on being awarded a Marshall Scholarship.

**SENATE CONCURRENT RESOLUTION NO. 48—**

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND

## A CONCURRENT RESOLUTION

To commend and congratulate Casey Crowder on her reign as Miss Louisiana 2002.

**SENATE CONCURRENT RESOLUTION NO. 52—**

BY SENATOR HOLDEN AND REPRESENTATIVE HONEY

## A CONCURRENT RESOLUTION

To commend the players, coaches, and managerial personnel of the 2002-2003 Southern University Lab School Girls Basketball Team on winning the State 1-A Girls State Basketball Championship.

**SENATE CONCURRENT RESOLUTION NO. 53—**

BY SENATOR HOLDEN AND REPRESENTATIVE HONEY

## A CONCURRENT RESOLUTION

To commend the players, coaches, and managerial personnel of the 2002-2003 Southern University Lab School Boys Basketball Team on winning the State 1-A Boys State Basketball Championship.

**SENATE CONCURRENT RESOLUTION NO. 54—**

BY SENATOR MOUNT

## A CONCURRENT RESOLUTION

To commend and congratulate the Ruth Chapter No. 16 of the Order of the Eastern Star on its 100th anniversary and to recognize and acknowledge its numerous contributions and efforts to improve the quality of life for the residents of Calcasieu Parish and the state.

**SENATE CONCURRENT RESOLUTION NO. 55—**

BY SENATORS B. JONES, ADLEY, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES DOWNS, GALLOT, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DOWNER, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC,

**April 28, 2003**

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LUCAS, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PEYCHAUD, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WELCH, WINSTON, WOOTON AND WRIGHT

**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of George B. Holstead, Jr. of Ruston and the enduring gratitude of the members for his outstanding contributions to the city of Ruston, Lincoln Parish, and the state of Louisiana, particularly during his sixteen-year tenure as a distinguished member of the Louisiana House of Representatives.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Bean	1 Day	Thomas	1 Day
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**Adjournment**

Senator Lambert moved that the Senate adjourn until Tuesday, April 29, 2003, at 9:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:30 o'clock A.M. on Tuesday, April 29, 2003.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk